

COLLECTION OF LAWS OF THE SLOVAK REPUBLIC

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of 29 January 2019

on gambling games and on the amendment to certain acts

The National Council of the Slovak Republic has adopted the following Act:

CHAPTER I

PART ONE

FUNDAMENTAL PROVISIONS

Article 1

(1) This Act shall regulate:

- a) the conditions for the operation of gambling games and the conditions for gambling games promotion;
- b) the conditions for the use of technical equipment designated for the operation of gambling games;
- c) the rights and duties of the gambling games operator, entity under supervision and gambler;
- d) standing and competence of the National Lottery Company;
- e) establishment, powers and responsibilities of authority of the Office for the Regulation of Gambling (hereinafter the "Authority") and the powers and responsibilities of the Ministry of Finance of the Slovak Republic (hereinafter the "Ministry of Finance") in the area of gambling games;
- f) powers and responsibilities of municipalities in gambling;
- g) state supervision over the operation of gambling games, gambling games promotion and related activities within the scope specified by this Act (hereinafter the "supervision")

(2) The purpose of this Act is to lay down, in the public interest, the conditions for the protection of public order during operation of gambling games and securing community compensation of risks ensuing from the operation of gambling games and participation in them.

(3) This Act applies to gambling games available in the territory of the Slovak Republic.

Article 2

For the purposes of this Act

- a) 'entity authorised to conduct supervision' means the employee of the Authority that conducts supervision on behalf of the Authority;

- b) 'applicant' shall mean a legal person that submitted an application for an individual licence;
- c) 'applicant's group' shall mean a group of natural persons or legal entities which have a controlling relationship between each other ¹⁾ or which are controlled by one natural person or legal person;
- d) 'gambling game operator' shall mean a legal person that was granted an individual licence or a legal person that has fulfilled the conditions of a general licence issued by the Authority and has filed a notification according to Article 38;
- e) 'gambling game operation' shall mean the execution or contractual securing of execution of activities needful for the realization of a gambling game;
- f) 'competent administrator of levy' shall mean the authority or municipality in the territory of which the operation of a gambling game has been permitted;
- g) 'game plan' shall mean a set of rules including the rules of a gambling game, the rules and the manner of stake taking and their amount, the rules and the manner of making a bet, if determination of a bet is also the essence of the gambling game, the amount of the handling fee if requested by applicant from gamblers, the number of lots and price of one lot, if they are issued, the possibilities of returning the stake, the rules, deadlines and the manner of pay-out of the winning, the Complaint Code and other requirements specified in this Act;
- h) 'Complaint Code' shall mean a set of rules determining the conditions of lodging a complaint including the manner and deadline for lodging a complaint and the time limit for its settlement;
- i) 'gambling game rules' shall mean the conditions of participation in a gambling game, the manner of determination of the gambling game result, the winners, the winning and its amount;
- j) 'gambler' shall mean a natural person that has fulfilled the conditions of participation in a gambling game;
- k) 'licence' shall mean an individual licence or a general licence;
- l) 'bet' shall mean a value determined by the gambler, which will be compared with the value determining the result of the gambling game;
- m) 'stake' shall mean a payment of cash, or by a transfer, or provision of other asset value that is needed for the gambler to take part in the gambling game;
- n) 'gambling principal' shall mean
 - 1. for lotteries the product of the number of lots and the price for one lot during the entire time when the lottery is being sold;
 - 2. for raffles the product of lots issued and the price for one lot;
 - 3. for instant lotteries the difference between the product of the number of lots sold and the price for one lot and the winnings paid out during the entire time of instant lottery selling;
 - 4. for numerical lotteries, the sum of bets;
 - 5. for bingo the product of lots issued and the price for one lot;
 - 6. for bet games being horse racing bets and totalizators, the sum of stake amounts;
 - 7. for bet games being rate bets operated by a gambling house and stores the sum of stake amounts;
- o) 'winning principal' shall mean a sum meant for the pay-out of winnings, which will be allotted to winning gamblers according to gambling game rules;
- p) 'winning' shall mean the amount of money or other value in kind which the gambler may win in a gambling game; winning is not the withdrawal of stake or a part thereof from gambler's account or the withdrawal of the state, or a part thereof, from a gambling machine;
- q) 'premium game' shall mean a part of a gambling game played for jackpot, which is made up of a part of gamblers' stakes according to the conditions specified in the game plan, where jackpot is one of the possible

winnings that will be obtained by the gambler according to the conditions specified in the game plan;

- r) 'yield' shall mean the difference between the stakes of gamblers and winnings paid out to gamblers;
- s) 'state lottery' shall mean gambling games including numerical lotteries, bingo, lottery of cash paid receipts issued in accordance with special regulation²⁾ (hereinafter the "cash receipt");
- t) 'financial guarantee' shall mean the sum deposited in the account of the Authority, which the applicant, the gambling game operator or Authority may only dispose of in accordance with this Act;
- u) 'gambling house' shall mean a room or a set of rooms structurally connected with each other and interconnected, purpose fitted and set up for the operation of gambling games operated through gambling machines or technical equipment operated directly by gamblers, gambling games operated by means of video lottery terminals, and gambling games operated by means of other technical equipment, with a gambling house permitted to also operate other types of gambling games; the gambling house must be situated in an isolated area with a separately lockable entrance and must be part of a building construction³⁾ which has walls;
- v) 'casino' shall mean a room or a set of rooms structurally connected with each other and interconnected, purpose fitted and set up for the operation of board games; casinos may also operate other types of gambling games; gambling games operated at a casino shall be called gambling games at casino;
- w) 'on-line casino' or 'on-line gambling house' shall mean the virtual space in which on-line games are being operated;
- x) 'establishment' shall mean the space operating gambling games, except the gambling games operated through gambling machines, gambling games operated through technical equipment operated directly by gamblers, gambling games operated through video lottery terminals on other technical equipment; establishments operate particularly lottery games, charity lotteries, bet games and poker-type card games operated outside a casino where gamblers play against each other (hereinafter the "card game outside casino");
- y) 'multiple gambling' shall mean a method of playing a gambling game, in which gamblers have besides a single possible winning still a possibility of further winning;
- z) 'gambling game promotion' shall mean any form of informing of a person or a gambling game offered thereby with the aim to introduce such gambling game in the market or any form of inciting to participation in a gambling game available in the territory of the Slovak Republic in Latin alphabet or Roman script, in which a gambler may participate from the territory of the Slovak Republic in particular by paying a stake or placing a bet or pay-out of winning, with the information about winning by way of advertising in a written, audio, visual, or audio-visual form highlighting the amount of winning or the opportunity to win constituting gambling game promotion too; gambling game promotion shall not mean general identification of a person and the person's products including, without limitation,
 - 1. the identification of the registered office of a legal person, permanent residence of a natural person, identification of the business name of the establishment or organisational unit of a person, as well as the identification of buildings, lands and other real property or movable property that is owned or leased by the person, if the person is the gambling game operator or operates the gambling game without licence;
 - 2. identification of letters and envelopes by the business name or trademark of the gambling game operator, or a person that operates the gambling game without licence;
 - 3. identification of products or their packaging by the data that must be provided on them pursuant to a special regulation⁴⁾;
 - 4. publishing an annual management report, financial statements, company audit report or other information about the enterprise, if the duty of the gambling game operator, or person that operates the gambling game without licence is requested to publish the same under special regulation⁵⁾;

5. informing gambler of the conditions, how to start playing the gambling game, and the fees applied by the person that operates electronic communication networks⁶⁾, electronic communication services⁷⁾, and payment services provider⁸⁾;
- aa) 'provision of prohibited offer' shall mean the promotion of a gambling game or operation of a gambling game available in the territory of the Slovak Republic without licence in a Latin alphabet or Roman script through an electronic communication network or electronic communication service; gambling game available in the territory of the Slovak Republic' shall mean a gambling game, in which persons can participate in the territory or from the territory of the Slovak Republic in particular by paying a stake, placing a bet or paying out a winning.

PART TWO

NATIONAL LOTTERY COMPANY

Article 3

(1) The national lottery company is a joint-stock company based in the territory of the Slovak Republic whose founder and shareholder is the Slovak Republic represented by the Ministry of Finance.

(2) The national lottery company must operate one of the gambling games forming the state lottery. When operating state lottery, the national lottery company may also cooperate with gambling games operators based in other European Union member state or in a state that is the contracting party to the Agreement on the European Economic Area (hereinafter the "other member state").

(3) The national lottery company may also operate other gambling games and conduct a business activity related to operating gambling games including the activity related to the operation of charity lottery.

(4) The activities referred to in paragraphs 2 and 3 may not be carried out by the national lottery company before it is granted an individual license.

(5) An individual licence for operation of gambling games pursuant to Article 4(2) (i), which are similar to or interchangeable with state lottery, may only be granted to the national lottery company, unless otherwise provided under Article 6.

(6) The business name of the national lottery company must contain the identification "national lottery company" or the abbreviation "n.l.s.". The identification "national lottery company" or the acronym "n.l.s.", or the translations thereof, may only be used by a person which was granted a license for the operation of state lottery.

(7) The registered capital of the national lottery company shall be at least EUR 1,700,000.00. The shares of the national lottery company shall be issued as registered book-entry shares.

(8) Any transfer of shares of the national lottery company is prohibited.

(9) The national lottery company may not issue convertible or priority bonds.

(10) The national lottery company or a part thereof⁹⁾ may only be sold to another national lottery company; the national lottery company may only be merged or consolidated with another national lottery company.

PART THREE
TYPES OF GAMBLING GAMES, DESCRIPTION AND BASIC CONDITIONS FOR GAMBLING
GAME OPERATION

TITLE ONE

TYPES OF GAMBLING GAMES

Article 4

(1) Gambling game is the game in which a gambler, after paying a stake, unless otherwise specified by Article 5(15), may obtain a winning provided that they have fulfilled the conditions specified in advance. Gambling game also includes a game, in which the game stake is the difference between the price of call, price of short text message or the price of multimedia message specified for participation in the game, and the price of call, price of short text message or the price of multimedia message specified by the provider of the electronic communication service for outgoing calls, sending of short text messages, and sending of multimedia messages to phone numbers of landline or mobile network participants including the price for the call or for sending the short text message or multimedia message, which confirms the participation in the game. The result of a gambling game depends, wholly or partially, on luck or a previously unknown result of a certain circumstance or event. The result of the circumstance or event that determines the result of the gambling game must not be known to anyone beforehand and must not be influenceable by anyone and must not be in conflict with the gambling game rules.

(2) Gambling games include

- a) lottery games;
- b) charity lotteries;
- c) board games;
- d) bet games;
- e) gambling games operated by means of gambling machines;
- f) gambling games operated by means of video lottery terminals;
- g) gambling games operated by means of technical equipment operated directly by gamblers;
- h) gambling games operated by means of other technical equipment;
- i) games other than gambling games referred to in points a) through h), if meeting the conditions laid down in paragraph 1.

(3) Gambling games may only be operated on the basis of a licence granted or issued under the conditions laid down by this Act and specified in the licence, while meeting the duties according to the approved game plan including the gambling game rules. The gambling may only be operated in the territory of the municipality, in which their operation is not restricted by a generally binding regulation of that municipality in accordance with Article 79(3) and (4) and Article 99(2); writing, filing or settlement of a petition¹⁰⁾ pursuant to Article 79(5) shall not constitute a reason for refusing to grant an individual licence. If a generally binding regulation in accordance with Article 79(6) has been adopted by a municipality, the gambling games referred to in paragraph 2(e) through (h) may only be operated as set forth in Article 15(5). A gambling game for which a licence has been granted or issued can only be promoted in compliance with this Act, terms and conditions of gambling game operation laid down by this Act and specified in the individual licence or general licence, and with the approved game plan; promotion of the gambling game is only permitted if it is operated under the conditions according to the first sentence.

(4) It is prohibited to operate a gambling game and promote a gambling game, for which a licence has not

been granted or issued. Also individual sale of lots is prohibited in the territory of the Slovak Republic; the same applies to the mediation of that activity by a person that operates gambling games without license, and the stakes for which are paid from abroad.

(5) Gambling games do not include

- a) sporting events¹¹⁾ including those, which are not considered public¹²⁾;
- b) games of a relaxation or sport character, even if a stake is necessary for participation in them, which is not refundable if the participant loses;
- c) entertaining games with material prizes by means of a gambling device, where the outcome of the game is determined exclusively based on skills and if the stake does not exceed one Euro,
- d) games by means of a gambling device in which a winning is another game on the same gambling device;
- e) quizzes consisting in answering questions exclusively based on proving knowledge or skills, if the result is determined without using other technical equipment meeting the requirements laid down for gambling games on other technical equipment under Article 28;
- f) draw in-kind lotteries and raffles, if the game principal is less than EUR 2,000.

(6) The promotional contests that are not an independent business activity and serve only for sales promotion of goods and services and during which the payment of a stake is not the condition of participation according to this Act are not considered to be gambling games either. Promotional contests shall mean contests, games, inquiries and other campaigns, in which the participants selected by random sampling obtain winnings and during which the purchase of certain goods, service or other fulfilment and a proof of this purchase to the organizer of the promotional contest or conclusion of a contractual relation with the provider of winnings to the promotional contest or participation in the promotional or advertising campaign is the condition for participation, including if requested indirectly through another person. The payments made for the purposes of taking part in the contest or obtaining the prize from the organizer of the promotional contest or provider of winnings to promotional contest are not considered to be stakes according to this Act.

(7) Games that do not guarantee equal conditions to all gamblers including the possibility of winning, especially pyramid games or chain games, are prohibited.

TITLE TWO

DESCRIPTION OF INDIVIDUAL TYPES OF GAMBLING GAMES

Article 5

Lottery Games

(1) Lottery games are gambling games, during which the winnings are announced and allotted according to the rules stipulated by the game plan beforehand, where the winning is the consequence of

- a) guessing a certain number, several numbers, combination of numbers, numerical order, symbol, picture (hereinafter the “number”); or
- b) acquisition of a voucher, coupon, ticket, certificate or other document, which contain a value, which will be compared with the value determining the result of the gambling game, and the acquisition of which is a condition of participation in the gambling game in accordance with the rules of the gambling game (hereinafter the “lot”).

(2) The value determining the result of the lottery game is set by a random determination of a number or lot (hereinafter the “drawing of lots”).

(3) Lottery games include in particular

- a) draw lotteries;
- b) raffles;
- c) numerical lotteries;
- d) bingo;
- e) instant lotteries;
- f) lottery of cash receipts.

(4) Draw lotteries are lottery games in which the operator of the gambling game issues the number of lots with serial numbers stipulated by the game plan which enable multiple gambling. If lots are allotted to several series, each series must contain identical numbers of lots and each lot must be marked besides a serial number also by the specification of the series. The selling price of each draw lottery lot must be identical in all series. All issued lots are included in the drawing of lots.

(5) Draw lotteries are divided according to the subject of winning especially to pecuniary draw lotteries, pecuniary-and-in-kind draw lotteries, and in-kind draw lotteries.

(6) Raffles are lottery games, in which only sold lots are included in the drawing of lots. Winnings from raffles are drawn publicly according to the previously determined and declared rules, where the winner is the gambler that holds a lot with the number or other designation identical with the drawn number or other designation of the lot. The lots are sold and winnings from raffles are announced and issued on the day and in the place of drawing of lots.

(7) Numerical lotteries are lottery games where gambler wins if he or she guesses certain specific number, several numbers, a combination of numbers or a numerical order. The number of gamblers or the gambling principal in numerical lotteries is not determined beforehand, and the winning is calculated according to the number of winners or the aggregate amount of stakes or a proportion previously determined, or as a multiple of the stake depending on how the gambler guessed the pre-determined number of numbers drawn out of the limited number of numbers drawn during the lottery.

(8) Numerical lotteries are especially lotto, keno, and a complementary game.

(9) Lotto is a numerical lottery, in which the winning is calculated according to the number of winners and the aggregate amount of stakes by a proportion previously determined by the game plan; the total sum appointed for winnings is allotted in more sequences and all winnings of the same sequence must be of the same amount.

(10) Keno is a numerical lottery, in which the winning is determined by a stake multiple according to the rules stated in the game plan.

(11) Complementary game is a numerical lottery, which may be operated only together with another numerical lottery; in the public drawing of lots one winning number is drawn and the winners are those gamblers who have a completely or partially identical number on their lot; the total sum appointed for winnings is allotted in more sequences and all winnings of the same sequence must be of the same amount.

(12) Bingo is a lottery game, in which previously non-determined number of lots is drawn from a closed numerical sequence according to the game plan rules out of previously non-determined number of gamblers and game principal amount. The amount of individual winnings is determined according to the aggregate amount of stakes, winning principal, type of bingo winning category and results of drawing of lots.

(13) Special bingo is a special type of bingo, in which the stakes are taken and winnings are paid out in establishments. The drawing of lots and the entire course of the special bingo is realized centrally in one place, where its course and results are generally released by mass media means.

(14) Instant lotteries are lottery games in which the gambler finds out a possible winning after the purchase

of a lot by rubbing down its marked, covered part. The lots must be marked with a serial number and the number of a series.

(15) The lottery of cash receipts is a lottery game, in which the number of lots is not specified in advance. In the lottery of cash receipts, winnings are drawn to the approved game plan, where the winner is the gambler that holds a lot with the number or other designation identical with the drawn number or other designation of the lot. The gambler in the lottery of cash receipts can obtain a lot exclusively on the basis of data from the cash receipt; the use of data from a substitute document is not admissible. Drawing of lots includes the lots issued by the operator of the lottery of cash receipts based on the data from the cash receipt. Payment of a stake is not a condition for participation in the lottery of cash receipts. The payments made for the purpose of obtaining the winnings from the operator of the lottery of cash receipts shall not be considered stakes.

Article 6

Charity Lottery

Charity lottery means a gambling game having certain attributes of the gambling games pursuant to Article 4(2)(a), including the attributes of a numerical lottery, and certain attributes of the gambling games pursuant to Article 4(2)(d), including the attributes of a non-sports betting event. The yield from operation of charity lottery must be used for the purposes laid down in a special regulation.¹³⁾

Article 7

Board Games

(1) Board games are games during which gamblers play against the representative of the gambling game operator or against each other on gambling tables. Board games are operated exclusively at a casino, except the card games outside casino, with each casino being obligated to have, permanently, at least five gambling tables.

(2) Board games include in particular roulette, card games and dice games.

(3) Roulette is a casino gambling game during which, by determination of numerical combinations, symbols or other signs a position, in which a ball thrown into a mechanically rotating device stops, is being assumed. The winning is calculated from the amount of stakes and winning ratio according to the rules specified in the game plan in advance

(4) Card games and dice games are casino gambling games, during which the winner or the amount of the winning is determined on the basis of the dealt cards symbols or achieved number of points on dice, or a combination of values on dice.

Article 8

Bet Games

(1) Bet games are gambling games, in which the winning depends on guessing the result of a sports betting event or non-sports betting event or related circumstance. Sports betting event is a sport event, including a virtual one, and including horse racing, even though it is not accessible to the public, for which stakes are accepted. Non-sports betting event is a social, political or other event of public interest if it is not in conflict with good manners; the description of the non-sports betting event is part of the game plan. Betting event must have at least two different results, which are not impacted in any way by the operator of the bet game. Stakes may be accepted both before the beginning and in the course of the betting event.

(2) Bet games include in particular totalizator, exchange bets and horse racing bets.

(3) Totalizator is a bet game in which the winning amount depends on the number of winners to the total amount of stakes ratio and previously determined proportion of winnings. The total sum appointed for winnings is allotted in more sequences; all winnings of the same sequence must be equally high.

(4) Rate bets are bet games, in which the winning amount depends on the winning ratio and stake amount; the winning ratio means the rate, in which the bet was taken. If, when operating rate bets, self-service betting terminals are used, such terminals must only be equipped with control designed for one gambler. Gambler may only play rate bets on self-service betting terminals.

(5) Horse racing bets are bet games, in which the winning depends on guessing the sequence in performance tests of racing race-horses and the winning amount depends on the number of winners to the total amount of stakes ratio and the previously determined proportion of winnings and on the winning to stake amount ratio.

(6) A betting game also includes a game of gamblers playing against each other at the exchange of rate bets. The exchange of rate bets is a platform developed by a rate bet operator where such operator operates as an agent of rate bets for gamblers for a commission from such gamblers.

Article 9

Gambling Games Operated by Means of Gambling Machines

(1) A gambling machine is electronically, electronic-mechanically or mechanically controlled device and it creates compact, functionally indivisible and program-controlled technical equipment with the control meant for one gambler only. If the gambling machine has software enabling a simultaneous game in more gambling places by several gamblers and these gambling places can function independently and separately from each other, then each such place is regarded as an independent gambling machine.

(2) Gambling machine has at least one screen showing

- a) status and result of the gambling game determined by a verified generator of random numbers to generate the result of individual gambling games which forms a part of the gambling machine;
- b) description of the gambling game in the official language¹⁴⁾;
- c) gambling game rules in the official language;
- d) winning combinations with winnings.

(3) The number of gamblers or the amount of stakes is unknown in advance at gambling games on gambling machines; the winning is calculated based on the conditions set in the game plan.

(4) Each gambler plays a separate gambling game and gamblers are not allowed to play gambling games against each other.

Article 10

Gambling Games Operated by Means of Video Lottery Terminals

(1) Video lottery terminal is a terminal equipment of video lottery operation system which is connected by way of electronic communication network to the server of the gambling game operator. The video lottery terminal does not contain a generator of random numbers for the generation of the result of individual gambling games and does not allow for independent playing a gambling game when disconnected from the gambling game operator's server, signalling failure after such disconnection. The video lottery operation system consists of the gambling game operator's server, generator of random numbers, video lottery terminals and electronic communication networks.

(2) The video lottery terminal has a screen showing

- a) status and result of the gambling game;
- b) description of the gambling game in the official language;
- c) gambling game rules in the official language;
- d) winning combinations with winnings.

(3) The number of gamblers or the amount of stakes is unknown in advance at gambling games on video lottery terminals; the winning is calculated based on the conditions set in the game plan.

- (4) Each gambler plays a separate gambling game and gamblers are not allowed to play gambling games against each other.

Article 11

Gambling Games Operated by Means of Technical Equipment Operated Directly by Gamblers

(1) Technical equipment operated directly by gambler is such equipment that has at least three gambling places and enables such maximum number of gamblers to play a game, which is equal to the number of gambling places interconnected with an evaluation unit. Gambling places are situated in the same game house or casino as the evaluation unit, they are connected with it continuously and it is not possible to use them separately. All gamblers of the gambling game operated on single technical equipment operated directly by gambler always play the same gambling game.

(2) The number of gamblers or the amount of stakes is unknown in advance at gambling games on technical equipment operated directly by gamblers; the winning is calculated based on the conditions set in the game plan.

Article 12

Gambling Games Operated by Means of Other Technical Equipment

Other technical equipment is the technical equipment allowing for the participation in a gambling game which offers fun, knowledge or skills game, or a combination thereof, or partial combination of those games with gambling games.

Article 13

Gambling Games According to Article 4(2)(i)

Gambling games according to Article 4(2)(i) mean such gambling games which contain features, elements, or characteristics of at least two types of gambling games according to Article 4(2)(a) through (h) and, besides meeting the condition referred to in Article 4(1), do not contain any specific features sufficient to define them unequivocally as one of the gambling games according to Article 4(2)(a) through (h).

TITLE THREE

BASIC CONDITIONS OF GAMBLING GAME OPERATIONS

Article 14

Common Provisions

(1) During the entire validity period of the licence, the gambling game operator shall comply with the terms and conditions of gambling game operation laid down by this Act, the conditions of responsible gambling laid

down by this Act, the terms provided for in the licence, the provisions of the security project, the provisions of the game plan, and other duties specified by this Act. The gambling game operator shall not be relieved from the liability for violation of this duty.

(2) Gambling games operated by means of gambling machines, gambling games operated by means of video lottery terminals, gambling games operated by means of technical equipment operated directly by gamblers, and gambling games operated by means of other technical equipment may only be operated in a gambling house or in a casino, where gambling house is requested to have no less 15 and no more than 40 gambling machines, technical equipment operated directly by gamblers, video lottery terminals or other technical equipment or altogether no less than 15 and no more than 40 of such machines, equipment, terminals or other technical equipment serving to operate such gambling games. Each technical equipment operated directly by gamblers, each video lottery terminal and each other technical equipment shall be considered as one piece of technical equipment, terminal or other technical equipment irrespective of the number of gambling places. If a gambling machine has more gambling places, each such gambling place shall be considered as a separate gambling machine.

(3) Only equipment and systems pursuant to Article 86(2) technically assessed by an authorised testing laboratory holding a valid certificate pursuant to Article 88 can be used in gambling game operation. Equipment according to Article 86(2)(a) through (d) shall be identified by the gambling game operator in a visible place to inform about the type of the equipment and serial number of the equipment.

(4) The gambling game operator shall be obligated to appoint a qualified natural person responsible for operation of a gambling game; a qualified natural person means a natural person who completed general high school education with school leaving certificate or high school specialised education with school leaving certificate¹⁵⁾, unless otherwise provided in Article 60(2).

(5) The gambling game operator shall be obliged to ensure that their employees and other persons performing activities in gambling game operation fulfil the duties laid down by this Act. The gambling game operator, their employees and other persons performing activities in gambling game operation shall be obliged to observe the duties laid down by a special regulation.¹⁶⁾

(6) The game plan of a gambling game must be available in all rooms used for gambling game operation, if such rooms are also accessible to gamblers.

(7) The natural person authorised to take bets or stakes on behalf of the gambling game operator must not participate as a player in the gambling game with such gambling game operator.

(8) Bets may be taken in cash or by a transfer. If a gambler deposits a higher financial amount than the bet, he or she must be able to withdraw such funds after the end of any gambling game.

(9) A premium game may be established for gambling games according to Article 4(2)(b) through (h), Article 5(7), (12), and (13) and Article 30. The conditions for operation of such game are laid down in the game plan.

(10) Except the operation of on-line games according to Article 30, operation of the numerical lottery including its supplementary game that the national lottery company operates in cooperation with foreign gambling games operators, and except disclosure of the gambling games results, operation of gambling games is forbidden

- a) on Good Friday, on 24 and 25 December;
- b) during the national days of mourning;
- c) out of the opening hours of a casino, gambling house or establishment.

(11) Gambling games according to Article 4(2)(c) and (e) through (h) and Article 5(12), except on-line

games according to Article 30, must not be operated on days stipulated by a generally binding regulation according to Article 79(7) either, but no more than 12 days in a calendar year in the territory of a municipality, if that municipality adopts such generally binding regulation.

(12) The payments to pay in the registered capital, payments relating to financial security, to settle the payments of the levy and other payments of a gambling game operator under this Act shall be deemed settled

- a) for cashless transfers from an account in a bank or from an account in a foreign branch of a bank, on the day when the account of the gambling game account is debited;
- b) for payments in cash, on the day when a bank, branch of a foreign bank, postal authority or other authorised person receives or accepts the cash.

(13) The gambling game operator and other persons performing any acts in operating gambling games and during technical assessment shall be obliged to keep secrecy on gamblers, their participation in gambling and information obtained during technical assessment.

(14) The duty to keep secrecy pursuant to paragraph 13 shall not apply to the provision of information

- a) to courts for the purposes of legal proceedings¹⁷⁾;
- b) to law enforcement authorities, service of criminal police and service of financial police of the Police Force for the purposes pursuant to special regulations¹⁸⁾;
- c) to the National Security Authority, the Slovak Information Service, the Military Intelligence and the Police Force for the purposes of performing security screenings¹⁹⁾;
- d) to the Military Intelligence to meet the duties pursuant to a special regulation²⁰⁾;
- e) to state administration authorities in the area of taxes, fees and customs duty, and to municipalities for the purposes of tax administration;
- f) to competent authorities for the purpose of a proceeding regarding an offence or other administrative tort²¹⁾; or
- g) to other persons, if gambler relieves persons referred to in paragraph 13 from the duty of secrecy.

(15) The operator of the gambling game shall be responsible for any damage caused during gambling game operation to the gambler pursuant to the Civil Code, even if the damage was caused by third persons authorised by the gambling game operator to perform certain activities related to gambling game operation

(16) The gambling games that can be interchangeable with or are similar to the state lottery must not be operated by gambling game operators other than the national lottery company unless otherwise provided in Article 6.

(17) The time limit for lodging a claim in respect of the gambling game winning shall not be less than 30 days and more than 60 days from the day following the day of drawing lots or any other event decisive for the determination of the winning.

(18) The gambling game operator must pay out the winning to the winner no later than in five days after the claim to the winning has been lodged, unless otherwise provided in a special regulation¹⁶⁾.

(19) The game principal shall not include the amount of stakes and winnings made during the verification pursuant to Article 88(5).

(20) The winning ratio for a gambling game operated by means of gambling machines, gambling game operated by means of video lottery terminals, gambling game operated by means of technical equipment operated directly by gamblers which make use of random number generator, and gambling game operated by means of other technical equipment means the average of the ratio of the winnings to the amount of bets calculated based on a set of at least 100,000 games plaid in a row; the winning ratio expresses the probability

of return of input stakes.

(21) The operator of the gambling game referred to in Article 4(2)(b) through (h), except the card games outside a casino, the operator of lottery games according to Article 5(3)(c) and (d), and operator of on-line games according to Article 30 is requested to set up a free on-line access for the Authority to the server of the gambling game operator or to an entity authorised thereby in order to obtain data concerning the gambling games in the extent and manner laid down by a generally binding legal regulation which shall be issued by the Ministry of Finance.

(22) Server shall be located by the gambling game operator in the territory of the Slovak Republic. The data concerning all gambling games plaid, including particularly the data concerning the number of games plaid, the data concerning individual bets and winnings, and the data concerning the overall bets and winnings must be kept and saved on the server. also the data concerning the interventions with the data concerning the gambling games plaid, the interventions with the gambling game software, and other failures shall be kept and saved on such servers. Also the data concerning the gambler's accounts including deposits in and withdrawals in gambler's accounts and all gambling games plaid from a gambler's account shall be kept and saved on an on-line game operator's server in the structure according to the second sentence.

Article 15

Conditions of Gambling Game Operation in a Gambling House

(1) Gambling games in a gambling house may only be operated by one gambling game operator according to Article 4(2)(e), (f), and (h). If other gambling game operators according to Article 4 operate gambling games in the gambling house too, they shall only be held liable for meeting the obligations relating to the gambling games operated by them.

(2) The gambling game operator according to Article 4(2)(e) through (h) is obligated to provide for permanent supervision at the gambling house carried out by a natural person employed by the operator of the gambling game in such gambling house, and such permanent supervisor must be present at the gambling house as long as the gambling house is opened; operation of the gambling house shall be governed by the gambling house rules according to paragraph 11.

(3) Gambling houses must not be situated at schools, school facilities, facilities of social services for children and youth, facilities of social and legal protection of children and social guardianship, facilities for the treatment of non-substance addictions, healthcare facilities, boarding houses for youth, and in the buildings of government authorities.

(4) Operation of gambling games at a gambling house from 3:00 AM to 10:00 AM is forbidden.

(5) If so stipulated by a municipality in a generally binding regulation, the gambling house must not be located in a distance of less than 200 metres from

- a) school²²⁾; this shall not apply to a professional training, working experience or working experience in the area of arts carried out by a student at an employer's workplace or at an on-job training workplace, where the student has been included in the dual education system;
- b) school facility²³⁾;
- c) a facility providing social services to children and youth, social and legal protection of children and social guardianship;
- d) facilities for the treatment of non-substance addictions;
- e) boarding houses for youth.

(6) Distance means the walking distance between the nearest entrance to the gambling house and the nearest

entrance to other gambling house, school building, school facility, facility of social services for children and youth, facilities of social and legal protection of children and social guardianship, facilities for the treatment of non-substance addictions and to boarding house for youth. The distance shall be measured using a calibrated meter²⁴⁾.

(7) Gambling houses may only be placed in²⁵⁾:

- a) hotels, motels, and lodging houses;
- b) buildings for trade and services;
- c) buildings for culture and public entertainment;
- d) apartment houses, if absolute majority of all owners of apartments and non-residential premises in the apartment house gives written consent thereto.

(8) The operator of the gambling game according to Article 4(2)(e) through (h) shall identify each gambling house with the "gambling house" sign at the entrance to the gambling house, and the height of letters shall not be more than five centimetres. The "gambling house" sign, or the translations thereof, or the words roots of which contain such words may only be used in the business name or to identify an establishment²⁶⁾ selling goods or services by a gambling game operator that was granted an individual license.

(9) No light sign or other advertising board informing of the existence of gambling house or inciting to the participation in a gambling game other than the gambling house identification as set forth in paragraph 8 may be installed on the external parts of the gambling house. No advertising of alcoholic beverages may be installed on external parts of the gambling house. No light sign or other advertising board informing of the existence of gambling house or inciting to the participation in a gambling game that may only be operated in the gambling house may be installed in the distance of less than 200 metres from the gambling house.

(10) It is prohibited to place information on winnings on external parts of the gambling house; information on winnings can only be placed in the interior of the gambling house, and such information must not be visible from outside of the gambling house. It is prohibited to place information on winnings in a gambling game that may only be operated in the gambling house in a distance of less than 200 metres from the gambling house.

(11) Operator of the gambling game according to Article 4(2)(e) through (h) must prepare operating rules that shall include, in particular

- a) the operating hours;
- b) rights and duties of gamblers;
- c) rights and duties of permanent supervisor;
- d) method of identification of permanent supervisor;
- e) identification of the gambling game operator.

(12) Operator of the gambling game according to Article 4(2)(e) through (h) must place the operating rules in a visible place in the gambling house.

(13) If a premium game is operated in the gambling game, it must be permitted within the individual license granted for all technical equipment included in the premium game, and the winning in the premium game in the gambling house must not exceed EUR 3,000.00.

(14) The winning in the premium game must be visibly indicated on the electronic board in the gambling house and must not be visible from outside of the gambling house.

(15) The gambling game operator is obligated to keep the form referred to in Article 34(6) in the gambling house.

(16) A gambling house must not be set up in a distance of less than 200 metres from another gambling house, if so stipulated in a generally binding regulation of a municipality.

Article 16

Special Conditions of Casino Gambling Game Operation

(1) In the casino, the operator of the casino gambling game can only operate the gambling game included in the individual licence. The gambling games other than listed in the individual licence can only be operated in the casino after the granting of the respective individual licence for their operation; the opening hours of these games must not exceed the opening hours of the casino gambling games.

(2) The casino gambling game operator must set up permanent supervision at a casino that shall be carried out by a natural person employed with the gambling game operator, and such permanent supervisor must be present at the casino during the entire time of opening hours; casino operation shall be governed by the operating rules referred to in paragraph 9.

(3) Casino must not be situated at schools, school facilities, facilities of social services for children and youth, facilities of social and legal protection of children and social guardianship, facilities for the treatment of non-substance addictions, healthcare facilities, boarding houses for youth, and in the buildings of government authorities.

(4) The operator of a casino gambling game is obligated to employ at the casino no less than 25 employees who would carry out the professional activities during gambling games at the casino.

(5) Casino may only be placed in²⁷⁾:

- a) hotels, motels, and lodging houses;
- b) buildings for trade and services;
- c) buildings for culture and public entertainment;

(6) The word "casino", its translations or words containing these words in the core can be used in the business name or for identification of the establishment providing goods or services only by the operator of a gambling game holding an individual licence referred to in Article 35(b), points 10, 11 and 15; this shall not apply to legal persons the business name or name of which is well-established or recognised by law or international treaty.

(7) No light sign or other advertising board informing of the existence of a casino or inciting to the participation in a gambling game other than the casino identification as set forth in paragraph 6 may be placed on the external parts of the casino. No advertising of alcoholic beverages may be placed on external parts of the casino. No light sign or other advertising board informing of the existence of a casino or inciting to the participation in a gambling game that may only be operated in the casino may be placed in the distance of less than 200 metres from the casino.

(8) It is prohibited to place information on winnings on external parts of the casino; information on winnings can only be placed in the interior of the casino, and such information must not be visible from outside of the casino. It is prohibited to place information on winnings in a gambling game that may only be operated in the gambling house in a distance of less than 200 metres from the gambling house.

(9) The operator of a casino gambling game must prepare operating rules which shall contain, in particular

- a) the operating hours;
- b) rights and duties of gamblers;
- c) rights and duties of permanent supervisor;

- d) method of identification of permanent supervisor;
- e) identification of the gambling game operator.

(10) The gambling game operator must place the operating rules in a visible place at the casino.

(11) If a premium game is operated at a casino, it must be permitted within the individual license granted.

(12) The winning in the premium game must be visibly indicated on the electronic board in the casino and must not be visible from outside of the casino.

(13) The currency determined by the Authority in the individual licence shall be the game currency of the casino.

(14) Provable records of chips according to chip kinds or types must be provided in the casino. The spare chips that are not used shall be stored separately and registered so that they can be submitted for control at any time. The spare chips can be used only with the consent of the Authority. The acquisition of any chips by the casino must be proved to the Authority.

(15) The chips, gratuities for employees deposited in separate cases, proceeds at tables deposited in separate cases, proceeds and chips in the principal cash desk, money and chips deposited in safes or other similar devices, shall be accounted on a daily basis after the end of the casino operation for each table separately.

(16) Casino employees are required to put the gratuities into a separate case after finishing a gambling game; gratuities are subject to accounting and separate recording after the end of the casino opening hours.

(17) Gratuities are a financial gift of a gambler to employees of the casino. The operator of casino gambling games shall distribute the gratuities among the casino employees based on the rules that the operator shall provide to the Authority at request. The rules for distribution of gratuities must not be changed during a calendar year.

(18) Persons with the participating interest in the casino gambling games operator, procurators, members of the statutory body or Supervisory Board are excluded from the distribution of gratuities, unless they are simultaneously in employment, membership relations or similar legal relations with the casino gambling game operator.

(19) After the end of a calendar year, the undistributed gratuities shall be added to the yield for that period.

(20) The persons employed in casino must not take part in the gambling games as gamblers in the casino, in which they are employed. The persons employed in casino who perform professional activities at gambling games in casino must not take part in the gambling games as gamblers in the casino with its seat in territory of the Slovak Republic.

(21) The gambling game operator is obligated to keep the form referred to in Article 34(6) in the casino.

Article 17

Conditions of Lottery Game Operation

(1) The probability of winning in draw lotteries, raffles and instant lotteries must not be lower than 1:200.

(2) The lowest winning in raffles and draw lotteries must not be less than the value of the price of a lot.

(3) The summary value of winnings in draw lotteries, raffles and instant lotteries must not be lower than 50% of the game principal.

(4) The summary value of winnings in one bingo lottery game can be maximum 70% of the game principal.

Article 18

(1) Lots must not be sold in a building housing school, boarding house for youth or other facility referred to in Article 15(5) or in public transport.

(2) Lots can only be sold in the premises of a building other than the building referred to in paragraph 1 with the consent of the owner or manager of that building. Such consent shall not be required for the sale of lots in the premises used by the gambling game operator holding a valid licence.

(3) When selling lots on the street, the vendor must carry the identity card as well as a card or other document issued by the gambling game operator or by the person providing for the distribution and sale of lots. Vendor shall provide the documents to the person in charge of supervision at request.

(4) Bets on numerical lotteries and cash receipt lottery can also be taken by way of a short text message or multimedia message.

Article 19

(1) It is prohibited to use state symbols on lots; this shall not apply if the national lottery company is the gambling game operator.

(2) For draw pecuniary lotteries, pecuniary-and-in-kind draw lotteries and instant lotteries, the lot must contain

- a) the name and registered office of the gambling game operator;
- b) individual licence number;
- c) the number of issued lots, price of one lot, the total amount of the game principal or the way of determination of the total amount of the game principal;
- d) the number and amount of winnings, or the way of determination of the number and amount of winnings;
- e) the determination of the event or circumstance which is decisive for the winning;
- f) the way of publishing of the list of winnings if required by the game plan;
- g) the designation of the place where winnings are provided;
- h) the time limit to claim the winning;
- i) the serial number of the lot and number of the series, if several series of lots have been issued;
- j) the time of sale of lots.

(3) Prior to releasing lots for sale, it is necessary to verify their quantity and the correctness of numeration by random sampling with the participation of the person in charge of supervision and to write down a report on it.

(4) In instant lotteries, the lot must also contain, in addition to the essentials listed in paragraph 2, a unique code for the verification whether the lot provides for winning situated under a scratch layer, without which it is not possible to verify whether the lot is winning.

Article 20

(1) The drawing of lots in a lottery game shall be public. The drawing of lots in the lottery of cash receipts must be performed with the participation of the person in charge of supervision. The drawing of lots in a lottery game except for bingo and numerical lottery drawn by way of a verified generator of random numbers to

generate the outcome of individual gambling game, with a game principal at a level of

- a) over EUR 5,000 must be performed with the participation of the person in charge of supervision;
- b) under EUR 5,000 must be performed with the participation of a civil law notary.

(2) The person in charge of supervision or the civil law notary participating in the drawing of lots shall certify that the course of the drawing of lots was in compliance with the game plan and this Act.

(3) Supervision over the drawing of lots of the numerical lottery including its supplementary game operated by the national lottery company along with foreign gambling game operators shall mean the participation of the person in charge of supervision at the premises of the gambling game operator during the acts related to acceptance of publicly drawn numbers, distribution of winnings and announcement of winnings. The supervisory body shall certify that the procedure of the gambling game operator in the acts according to the first sentence is in compliance with the granted individual licence, game plan and this Act.

Article 21

(1) The professionally competent natural person responsible for the operation of a lottery game shall be obliged to appoint a responsible representative.

(2) The responsible representative ensures regular course of the lottery game. The lottery game operator shall not intervene in the course of the lottery game without the consent of the responsible representative.

(3) The responsible representative shall adhere to the instructions of the Authority and advise it of all material circumstances occurred in connection with the operation of gambling games and measures adopted.

(4) The responsible representative and the person in charge of supervision, if the game principal exceeds EUR 5,000, or the civil law notary, if the game principal does not exceed EUR 5,000, shall check whether the drawing urn contains

- a) for numerical lottery, all numbers according to the game plan; this shall not apply to a state lottery operated by the national lottery company with a foreign gambling game operator;
- b) for draw lottery, all issued lots;
- c) for raffles, all lots sold.

(5) The responsible representative shall execute all the measures to prevent the abuse of the lots returned by post or other way before the drawing of lots, during the drawing of lots, or immediately after the drawing of lots. In the course of the lottery game, the responsible representative shall be obliged to keep the lots in a safe place. After the end of the lottery game, in which lots are used, the responsible representative together with the person in charge of supervision shall be obliged to devalue the unsold lots.

(6) The responsible representative shall write a protocol about the course of the drawing of lots containing in particular the data on the course of the drawing of lots, and the list of winning lots.

(7) After the end of the drawing of lots, the responsible representative shall secure the winnings falling on the unsold lots in draw lotteries against loss, destruction or damage, and secure identically the winnings not claimed during the raffle.

(8) In draw lotteries, the responsible representative shall be obliged to publish the list of winnings in printed form and to inform the public about it. For a raffle, after the drawing of lots, the responsible representative shall inform the public about the winning lots, and provide for the publishing of the written list of winning lots.

(9) The devaluation of the unsold lots can only be carried out with the presence of the person in charge of

supervision, no later than after the expiry of six months from the first day of the calendar month following the day, on which the statement of the lottery game was handed over.

(10) Numerical lotteries and bingo must be connected by way of electronic communication networks to the server of the gambling game operator. In the event of any disconnection of numerical lotteries or bingo with those servers, the gambling game must be suspended or discontinued.

Article 22

Conditions of Charity Lottery Operation

(1) The professionally competent natural person responsible for the operation of a charity lottery game shall be obliged to appoint a responsible representative.

(2) The responsible representative ensures regular course of the charity lottery game. The charity lottery game operator shall not intervene in the course of the charity lottery game without the consent of the responsible representative.

(3) The responsible representative shall adhere to the instructions of the person in charge of supervision and advise such person of all material circumstances occurred in connection with the operation of gambling games and measures adopted.

(4) The content of the lot shall be specified by the Authority in the individual license.

(5) Lots can only be sold in the premises of a building with the consent of the owner or manager of that building. Such consent shall not be required for the sale of lots in the premises used by the gambling game operator holding a valid individual licence.

(6) When selling lots on the street, the vendor must carry the identity card as well as a card or other document issued by the gambling game operator or by the person providing for the distribution and sale of lots. Vendor shall provide the documents to the person in charge of supervision at request.

(7) Lots must not be sold in public transport.

(8) Drawing of lots within charity lottery must be public and must be conducted in presence of the person in charge of supervision who shall certify that the drawing of lots was in compliance with the game plan and this Act.

(9) The responsible representative shall write a protocol about the course of the drawing of lots containing in particular the data on the course of the drawing of lots, and the list of winning lots.

(10) After the end of the drawing of lots, the responsible representative shall secure the winnings falling on the unsold lots in charity lottery against loss, destruction or damage, and secure the winnings not claimed.

(11) The responsible representative shall be obliged to publish the list of winnings in printed form and to inform the public about it.

(12) The devaluation of the unsold lots can only be carried out with the presence of the person in charge of supervision, no later than after the expiry of six months from the first day of the calendar month following the day, on which the statement of the charity lottery game was handed over.

(13) Charity lottery game must be connected by way of electronic communication networks to the server of the gambling game operator. In the event of any disconnection of charity lottery with those servers, the gambling game must be suspended or discontinued.

Article 23

Conditions of Board Game Operation

- (1) If chips marked with their value are used at board games, such chips shall be approved by the Authority.
- (2) The gambling game operator shall use chips distinguishable from the chips of other board game operator.
- (3) Board games may also make use of no cash value chips acquired by the gambler at the gambling table in exchange for cash value chips. When the gambler is done with the game at the gambling table, he or she must exchange his or her no cash value chips for cash value chips.
- (4) If the board game operator gives any advantage to the gambler allowing him or her to obtain a winning from the bet taken in an amount higher than the multiple of the winning and stake ratio under the rules pre-defined in the game plan, the board game operator shall allow the gambler to play the premium game or will pay the gambler the funds, while the guessing the gambling game result does not necessarily have to be the decisive criterion for the pay-out; such funds must be recorded by the board game operator separately and, except the winning obtained in the premium game, board game operator must not include those funds in the yield calculation.
- (5) Board game operator must use monitoring equipment in accordance with the monitoring equipment project. The monitoring equipment must, in particular, be able to monitor the gambling games, daily accounting of the casino gambling game results and financial transactions at the casino cash desk. The recordings of the gambling game monitoring, daily recording of bets taken and the winnings paid out, and the daily accounting of gambling games shall be archived for no less than ten days after the recording was recorded.

Article 24

Conditions of Bet Game Operation

- (1) The operator of bet games shall not enter into contracts with domestic persons and foreign persons for the exclusive right to place bets for certain competitions, contests or matches.
- (2) The operator of bet games shall not accept bets for races in which an animal, vehicle, or sports organisation takes part that is owned or co-owned by them; this shall also apply in case the owner or co-owner is a person authorized to accept bets, or a person in employment, membership relation or similar legal relation with the operator of bet games.
- (3) The bet game operator must not accept bets for
 - a) the results of numerical lotteries;
 - b) a sporting event pursuant to Article 4(5) (a), if it takes place in the territory of the Slovak Republic and is intended, based on the conditions or rules of the event, for sportsmen younger than 18 years;
 - c) those which were declared inappropriate by the Authority in accordance with Article 77(9)(q), starting on the third day following the day on which Authority posted such information on Authority's web site.
- (4) Operator of bet games, such as rate bets, must not take bets on horse races taking place in the territory of the Slovak Republic.
- (5) Bets can also be taken by way of a short text message or multimedia message.
- (6) If the bet game operator gives any advantage to the gambler allowing him or her to obtain a winning from the bet taken in an amount higher than the multiple of the winning and stake ratio based on the rules in the game plan, the bet game operator shall allow the gambler to play the premium game or will pay the gambler the funds, while the guessing the bet game result does not necessarily have to be the decisive criterion for the pay-

out; such funds must be recorded by the bet game operator separately and, except the winning obtained in the premium game, bet game operator must not include those funds in the yield calculation.

(7) Operator of bet games, such as rate bets, is obliged to forthwith inform the national sports club of the relevant sport and the national sports club of the relevant sports organisation of a suspicion of distortion of competition, suspicions of preparations for distortion of competition, or suspicion of a violation of measures against distortion of competition.²⁸⁾

(8) Each terminal equipment allowing bets to be taken must be connected by way of electronic communication networks to the server of the gambling game operator. In the event of any disconnection of the terminal equipment with those servers, the gambling game must be suspended or discontinued.

Article 25

Conditions of Operation of Gambling Games Operated by Means of Gambling Machines

(1) The gambling machine shall meet the following requirements:

- a) the values of the stake and winning are automatically registered by inbuilt counters;
- b) it can only work when the mechanical and electronic counters, or the electronic counter and the non-resettable digital counter with a memory module are connected simultaneously, and if any of the counters is disconnected, the gambling machine must signal a failure and must not accept stakes and pay winnings anymore;
- c) it has an inbuilt system of at least double independent check of stakes and winnings paid out;
- d) the time that elapses from the moment of start to the end of a gambling game is at least four seconds; this shall not apply to gambling machines operated in casino;
- e) the time that elapses from the moment of winning pay-out to the start of the next gambling game must be at least 15 seconds; this shall not apply to gambling machines operated in casino;
- f) the winning ratio must not be lower than 70%.

(2) The stake must not exceed the amount of ten Euro cents per one gambling game, and the maximum winning in one gambling game must not be more than five Euro; this shall not apply to gambling machines operated in casino.

(3) One game on gambling machines shall mean starting a gambling game by starting up the verified generator of random numbers to generate the outcome of individual gambling games that shall determine the result of the gambling game and display it on the gambling machine. No more stakes may be made during one gambling game. After the end of each gambling game, the gambler shall have the possibility to take the whole winning.

(4) Each gambling machine game must be connected by way of electronic communication networks to the server of the gambling game operator. In the event of any disconnection of the gambling machine with those servers, the gambling game must be suspended or discontinued.

Article 26

Conditions of Operation of Gambling Games Operated by Means of Video Lottery Terminals

(1) The video lottery terminal shall meet the following requirements:

- a) the values of the stake and winning are automatically registered by inbuilt counters;
- b) it can only work when the mechanical and electronic counters, or the electronic counter and the non-

resettable digital counter with a memory module are connected simultaneously, and if any of the counters is disconnected, the video lottery terminal must signal a failure and must not accept stakes and pay winnings anymore;

- c) it has an inbuilt system of at least double independent check of stakes and winnings paid out;
- d) winnings and the balance of the funds not consumed by playing is paid out based on receipt printed out by a video lottery terminal; the receipt shall contain the name of the gambling game operator, address of the establishment, terminal number, receipt number, date and time printed, and the amount to be paid out;
- e) the winning ratio must not be lower than 70%.

(2) The maximum stake in a single gambling game must not be more than ten Euro. This restriction does not apply to operation of video lottery terminals in a casino.

(3) One game on gambling machines shall mean starting a gambling game by starting up the verified generator of random numbers to generate the outcome of individual gambling games that shall determine the result of the gambling game and display it on the video lottery terminal. No more stakes may be made during one gambling game. After the end of each gambling game on a video lottery terminal, the gambler shall have the possibility to take the whole winning.

(4) Each video lottery terminal must be connected by way of electronic communication networks to the server of the gambling game operator, which server also includes a generator of random numbers and a database of games. In the event of any disconnection of the video lottery terminal with those servers, the gambling game on such terminal must be suspended or discontinued.

Article 27

Conditions of Operation of Gambling Game Operated by Means of Technical Equipment Operated Directly by Gamblers

(1) Technical equipment operated directly by gamblers must meet the following requirements:

- a) the values of the stake and winning are automatically registered by inbuilt counters;
- b) it can only work when the mechanical and electronic counters, or the electronic counter and the non-resettable digital counter with a memory module are connected simultaneously, and if any of the counters is disconnected, the technical equipment operated directly by a gambler must signal a failure and must not accept stakes and pay winnings anymore;
- c) it has an inbuilt system of at least double independent check of stakes and winnings paid out;
- d) the winning ratio for technical equipment operated directly by gamblers which make use of a generator of random numbers must not be lower than 70%.

(2) The maximum stake on one position in gambling games operated by means of technical equipment operated directly by gamblers must not be more than ten Euro. This restriction does not apply to gambling games operated by means of technical equipment operated directly by gamblers in a casino.

(3) One game shall mean starting a gambling game by starting up the mechanical or electromechanical system or the verified generator of random numbers to generate the outcome of individual gambling games that shall determine the result of the gambling game and display it on the technical equipment operated directly by gamblers. No more stakes may be made during one gambling game. After the end of each gambling game on the technical equipment operated directly by gamblers, the gambler shall have the possibility to take the whole winning.

(4) Each piece of technical equipment operated directly by gamblers must be connected by way of electronic communication networks to the server of the gambling game operator. In the event of any disconnection of the technical equipment operated directly by gamblers with those servers, the gambling game operated by means of

such technical equipment must be suspended or discontinued.

Conditions of Operation of Gambling Game Operated by Means of Technical Equipment Operated Directly by Gamblers

(5) Technical equipment operated directly by gamblers must meet the following requirements:

- e) the values of the stake and winning are automatically registered by inbuilt counters;
- f) it can only work when the mechanical and electronic counters, or the electronic counter and the non-resettable digital counter with a memory module are connected simultaneously, and if any of the counters is disconnected, the technical equipment operated directly by a gambler must signal a failure and must not accept stakes and pay winnings anymore;
- g) it has an inbuilt system of at least double independent check of stakes and winnings paid out;
- h) the winning ratio for technical equipment operated directly by gamblers which make use of a generator of random numbers must not be lower than 70%.

(6) The maximum stake on one position in gambling games operated by means of technical equipment operated directly by gamblers must not be more than ten Euro. This restriction does not apply to gambling games operated by means of technical equipment operated directly by gamblers in a casino.

(7) One game shall mean starting a gambling game by starting up the mechanical or electromechanical system or the verified generator of random numbers to generate the outcome of individual gambling games that shall determine the result of the gambling game and display it on the technical equipment operated directly by gamblers. No more stakes may be made during one gambling game. After the end of each gambling game on the technical equipment operated directly by gamblers, the gambler shall have the possibility to take the whole winning.

(8) Each piece of technical equipment operated directly by gamblers must be connected by way of electronic communication networks to the server of the gambling game operator. In the event of any disconnection of the technical equipment operated directly by gamblers with those servers, the gambling game operated by means of such technical equipment must be suspended or discontinued.

Article 28

Conditions of Operation of Gambling Game Operated by Means of Other Technical Equipment

(1) If the technical equipment used for operation of gambling game operated by means of other technical equipment and will function

- a) separately, independently of the server of the gambling game operator, such equipment must meet the requirements laid down for gambling games operated by means of gambling machines;
- b) as terminal equipment connected to the server of the gambling game operator, such equipment must meet the requirements laid down for gambling games operated by means of video lottery terminals.

(2) Each piece of technical equipment used for operation of gambling games operated by means of other technical equipment must be connected by way of electronic communication networks to the server of the gambling game operator. In the event of any disconnection of other technical equipment with that server, the gambling game operated by means of such technical equipment must be suspended or discontinued.

Article 29

Conditions of Operation of Gambling Game According to Article 4(2)(i)

Operation of gambling game according to Article 4(2)(i) is subject to the same conditions as the conditions applicable to the operation of the gambling game which is most similar to such gambling game.

TITLE FOUR

ON-LINE GAMES – DESCRIPTION AND CONDITIONS OF OPERATION

Article 30

(1) Gambling games according to Article 5(7), (12) and (14), Article 6 through 12 may also be operated as on-line games. On-line games forming a part of state lottery may only be operated by the national lottery company. The conditions of operation of gambling games according to Article 18 through 29 do not apply to on-line games, if they are inapplicable to the Internet.

(2) On-line games are gambling games, in which a gambler connects via the Internet to the server of the gambling game operator or an entity authorized thereby,

- a) on which game systems are placed using software, through which the gambling game according to Article 5(12) and (14), Article 7 and Article 9 through 12 is operated, and the gamblers play against this game system or against the representative of the operator or supplier of the game system, or against each other; such gambling games are operated in an on-line casino;
- b) which is only used for the transmission of data, collection of data and further processing of data and information related to the operation of gambling games according to Article 5(7), Article 6 and 8; such gambling games are operated in an on-line gambling house.

(3) On-line game rules must be available in the official language.

(4) The number of gamblers or the amount of stakes is unknown in advance at on-line games; the winning is calculated based on the conditions set in the game plan.

(5) On-line game operator is obliged to publish on the web site the operator uses to operate the on-line game

- a) on-line game operator's identification and contact data;
- b) identification and contact data of the authority that granted individual licence;
- c) individual licence number;
- d) types of gambling games operated as on-line game;
- e) game plan.

(6) On-line game operator must not offer or provide, or use a third person to offer or provide, to gambler any equipment enabling participation in the on-line game operated by such operator in order for the gambler to take part in the on-line game.

(7) The operator of an on-line game in an on-line gambling house and in an on-line casino may only operate the on-line game on the address of the web site of the on-line gambling house and on-line casino with the suffix "sk" and listed in the decision granting individual licence, irrespective of whether or not such on-line game will be available directly by way of a web browser or indirectly by way of a mobile application.

(8) If the operator of an on-line game in an on-line gambling house gives any advantage to the gambler allowing him or her to obtain a winning from the bet taken in an amount higher than the multiple of the winning and stake ratio based on the rules in the game plan, the bet game operator shall allow the gambler to play the premium game or will pay the gambler the funds, while the guessing the on-line game result does not necessarily have to be the decisive criterion for the payout; such funds must be recorded by the on-line game operator

separately and, except the winning obtained in the premium game, on-line game operator must not include those funds in the yield calculation.

(9) If the operator of an on-line game in an on-line casino gives any advantage to the gambler allowing him or her to obtain a winning from the bet taken in an amount higher than the multiple of the winning and stake ratio based on the rules in the game plan, the bet game operator shall allow the gambler to play the premium game or will pay the gambler the funds, while the guessing the gambling game result does not necessarily have to be the decisive criterion for the payout; such funds must be recorded by the on-line game operator separately and, except the winning obtained in the premium game, on-line game operator must not include those funds in the yield calculation.

Article 31

(1) Gambler may only participate in an on-line game if he or she registers and sets up a gambling account. Gambling account serves particularly for the management of gambler's funds, gambler's gambling history and identification data. In registration, the gambler provides his or her identification data in the extent of

- a) name, surname and academic degree of a natural person;
- b) personal identification number, if allocated, or date of birth, if the personal identification number has not been allocated;
- c) permanent address or residence permit;
- d) nationality.

(2) Each gambler may only have one gambling account set up with one on-line game operator.

(3) If the gambling account is cancelled, the on-line game operator is obliged to refund the balance of funds back to the gambler.

Article 32

(1) On-line game operator is obliged to display the following data at each gambler's login to his or her gambling account that will be accessible in a visible place during the entire game by the gambler:

- a) information reading "A person under the age of 18 years is prohibited to join gambling games";
- b) information concerning health risks caused by excessing gambling;
- c) a warning reading: "Gambling games involve a risk of high financial losses";
- d) information concerning the total bets and winnings of the gambler during gambling under this gambling account aggregated for the calendar month from first login by the gambler to his or her gambling account in that calendar month, and information concerning total bets and winnings of the gambler during the entire time of gambling under this gambling account aggregated from opening that gambling account;
- e) phone number or a hypertext link to the web site of a specialised healthcare institution operating in the area of prevention, diagnostics and treatment of substance and non-substance addictions published by the Authority on its web site;
- f) the hypertext link to the web site of the administrator of the register containing the form according to Article 34(6);
- g) information concerning the option to set a self-restricting measure, in particular the maximum amount of total bets and the maximum amount of gambler's loss while gambling under this gambling account aggregated for a calendar year from gambler's first login to his or her gambling account in that calendar month to the actual login to his or her gambling account in that calendar month, separately for on-line games in an on-line gambling house and separately for on-line games in an on-line casino; gambler's loss shall

mean the amount equal to the difference between the total amount of all bets of the gambler including those bets which have not resulted in a winning, and the total amount of all his or her winnings.

(2) On-line game operator is obliged to take care that the data referred to in paragraph 1 be displayed for at least five seconds at each gambler's login to his or her account. If the gambler displays the data referred to in paragraph 1 by way of the access in a visible place at any time during game, such data cease to be displayed only after gambler actively confirms his or her wish to hide the same.

(3) On-line game operator must take care that gambler have the opportunity at each login to gambler's gambling account and while gambling to set the self-restricting measure referred to in paragraph 1; if gambler sets such self-restricting measure, the on-line game operator is obliged to put such self-restricting measure in effect in 24 hours from its setting. Gambler may change the self-restricting measure to a more or less strict measure than the measure referred to in paragraph 1. If the gambler changes the self-restricting measure to a stricter one, the on-line game operator must put such setting in effect in 24 hours from gambler's setting of a stricter self-restricting measure. If the gambler changes the self-restricting measure to a less strict one, the on-line game operator must put such less strict setting in effect on the seventh calendar day from gambler's setting of a less strict self-restricting measure. Gambler may only change the self-restricting measure once in a calendar month.

(4) The on-line game operator must not allow the gambler who has set a self-restricting measure to bet more money after such measure takes effect than the limit set in the self-restricting measure; if the gambler set a limit for loss, the on-line game operator shall take measures to prevent gamblers from continuing in the on-line game once he or she hits the loss limit set.

PART FOUR

RESPONSIBLE GAMBLING

TITLE ONE

GENERAL PROVISIONS

Article 33

(1) Participation in gambling games is prohibited to persons younger than 18 years. The gambling game operator shall be obliged to take measures to prevent such persons from participating in gambling games. For that purpose, the gambling game operator and the person authorised to conduct supervision will request the submission of an identity card if the operator or the person in charge has doubts whether the natural person has already reached 18 years of age. To that end, the on-line game operator is obliged to request the data from the identity card and another document²⁹⁾, copies of which shall be sent for that purpose by the natural person who wishes to take part in a gambling game.

(2) The participation in gambling games pursuant to Article 4(2)(c) and (e) through (h), Article 5(12), and Article 30 is also prohibited to the natural persons included in the register of the natural persons excluded from gambling (hereinafter the "register of excluded persons"). The operator of the gambling game referred to in the first sentence must not allow these natural persons to take part in such gambling game. The operator of the gambling game operating any of the gambling games pursuant to Article 4(2)(c), and (e) through (h) and Article 5(12) shall be obliged to use for that purpose the register of excluded persons and to request the submission of an identity card; the person authorised to conduct supervision has also the right to request the submission of an identity card for the purposes of supervision. To that end, the on-line game operator is obliged to request the data from the identity card and another document²⁹⁾, copies of which shall be sent for that purpose by the natural

person who wishes to take part in a gambling game and check the register of excluded persons at each gambler's login to his or her gambling account.

(3) The natural person younger than 18 years and the natural person registered in the register of excluded persons are prohibited from entering the gambling house, casino or the establishment operating bingo according to Article 5(12). The operator of the gambling game shall be obliged to use for that purpose the register of excluded persons and to verify the identity of each natural person entering the gambling house, casino or the establishment operating bingo; they are entitled to request the submission of an identity card; if they find out that a natural person according to the first sentence has entered such premises, they shall be obliged to ban the natural person out. For the purpose of supervision, the person authorised to conduct supervision shall be entitled to request the submission of an identity card from each natural person present in the gambling house, casino or establishment operating bingo.

(4) The operator of the gambling game according to Article č(2)(e) through (h) is obliged to place the phone number of a specialised healthcare facility operating in the area of prevention, diagnostics and treatment of substance and non-substance additions published by the Authority posted on its web site in a visible place on the technical equipment operated by that operator and designed for the operation of gambling games.

(5) The gambling game operator must not give any loan or credit to the gambler prior to or in the course of the game.

(6) Bans and obligations referred to in paragraph 1 through 3 do not apply to natural persons, if they perform the duties of rescue corps of the integrated rescue system according to special regulations, and the persons in charge of supervision, if they perform the duties under this Act.

TITLE TWO

REGISTER OF EXCLUDED PERSONS

Article 34

(1) The register of excluded persons is an information system of the general government³⁰⁾ registering all natural persons excluded from participation in gambling games referred to in Article 33(2) first sentence.

(2) Natural person excluded from participation in gambling games is the natural person who has reached the age of 18 and

- a) who, for the purpose of assistance provided in material need, forms a household³¹⁾;
- b) who asked for the exclusion on his or her own;
- c) who has been diagnosed a pathological gambler according to the international classification of diseases³²⁾;
- d) who studies at a public university, private university or state university in the daily form of study, in the study programme of first degree, in the study programme of second degree or in the study programmes of combined first and second degree, and who was awarded social scholarship;
- e) who has been prohibited by court from participating in gambling games;
- f) who has been imposed, by a court judgement or agreement approved by court, a duty to pay alimony to a child without income who is eligible to alternative alimony;
- g) against whom criminal prosecution has been initiated due to criminal desertion.

(3) The register of excluded persons is administered by the Authority that can authorise in writing a legal person established by a general government authority pursuant to a special regulation³³⁾ (hereinafter the "register

administrator") to administer the register's operation; the register administrator is the operator pursuant to a special regulation³⁴⁾.

(4) The following data shall be included in the register of excluded persons:

- a) name, surname and academic degree of a natural person;
- b) personal identification number, if allocated, or date of birth, if the personal identification number has not been allocated;
- c) the date of registration of the natural person in the register of excluded persons;
- d) the reason for the registration of the natural person in the register of excluded persons pursuant to paragraph 2;
- e) start date and expiry date of the validity of the ban to participate in gambling games, in the event of natural person under paragraph 2(e).

(5) The data for the register of excluded persons pursuant to paragraph 4 (a) and (b) concerning the natural person referred to in paragraph 2(a) and (f) shall be provided by the Central Office of Labour, Social Affairs and Family³⁵⁾ by the 20th day of the calendar month following the calendar month in which the decision acknowledging the claim to social assistance benefit or the decision acknowledging the claim to alternative alimony. The data for the register of excluded persons pursuant to paragraph 4(a) and (b) concerning the natural person who studies at a public university, private university or state university in the daily form of study, in the study programme of first degree, in the study programme of second degree or in the study programmes of combined first and second degree, and who was awarded social scholarship shall be provided by the Ministry of Education, Science, Research and Sports of the Slovak Republic by the 20th day of the calendar month following the calendar month in which the decision acknowledging social scholarship became valid in law. The data pursuant to paragraph 4(a) and (b) concerning the natural person who has been diagnosed a pathological gambler shall be provided by the 20th day of the calendar month following the calendar month in which the information that such natural person was diagnosed a pathological gambler was entered in the register in accordance with a special regulation³⁶⁾; The data for the register of excluded persons pursuant to paragraph 4(a) and (b) concerning the natural person against whom criminal prosecution due to criminal desertion has been initiated shall be provided by a law enforcement authority by the 20th day of the calendar month following the calendar month in which such prosecution has been initiated. The data for the register of excluded persons pursuant to paragraph 4(a) and (b) concerning the natural person who was prohibited, by court, from participation in gambling games, including the information concerning the reduction of the validity of such ban, shall be provided by the court which made the decision concerning that ban; such court shall provide the data in documentary form until automated data mining from the court's information system is set up. Such data shall be provided by the court which made the decision concerning that ban by the 20th day of the calendar month after the calendar month in which such decision became valid in law. The data for the register of excluded persons pursuant to paragraph 4 (a) and (b) on the natural persons who have asked themselves for exclusion shall be provided by those persons.

(6) The natural person who asked for exclusion from gambling games shall send the data to the register of excluded persons in an electronic form by way of the web site of the administrator of the register with a qualified electronic signature or on paper by submitting a form to the administrator of the register published on the web site of the administrator of the register with a legalised signature.

(7) The administrator of the register shall forthwith erase the natural person from the register of excluded persons as soon as the administrator ascertains that the reasons for keeping that person in the register ceased to exist. To that end, the Office of Labour, Social Affairs and Family, the Ministry of Education, Science, Research and Sport of the Slovak Republic, the law enforcement authority, and the court shall provide data concerning each change of the decision based on which data have been entered in the register of excluded persons always by the 20th day of the calendar month after the calendar month in which such decision justifying erasure of a natural person from the register of excluded persons became valid in law; data shall be provided from the register

pursuant to special regulation³⁶⁾ by the 20th day of the calendar month after the calendar month in which the information that the natural person who was diagnosed a pathological gambler is considered to be cured was entered in that register. As regards the registration of natural person in the register of excluded persons at that person's request, the person registered in the register of excluded persons may apply for erasure from the register of excluded persons after the lapse of six months from the date of registration at the earliest; the administrator of the register is obliged to inform the natural person of this fact at the registration procedure.

(8) User of the data referred to in paragraph 4 is the gambling game operator under the terms and conditions laid down in paragraph 9.

(9) The administrator of the register shall be obliged to allow the gambling game operator to continuously access the register of excluded persons in order to compare the identity of the natural person, but they can access only the data on whether the particular natural person is registered in the register of excluded persons. If the administrator of the register cannot allow the gambling game operator to continuously access the register of excluded persons, the register administrator shall publish the notification of it including the reason for this fact on their website; and at the time from the publishing of such notification until the publishing of a notification on this website about the recovery of the continuous access to the register of excluded persons, the gambling game operator shall not be obliged to use the register of excluded persons. If the gambling game operator cannot use the register of excluded persons due to the reasons on their part, it shall not affect the fulfilment of their duties pursuant to Article 33 (2) and (3). The gambling game operator can access the register of excluded persons while the individual licence or the confirmation of meeting the notification duty pursuant to Article 38 remains valid.

(10) The administrator of the register is obliged to allow the Slovak Information Service and the Military Intelligence to access the register of excluded persons for the purposes referred to in the first sentence of paragraph 9.

PART FIVE GAMBLING GAME LICENCES

TITLE ONE TYPES OF GAMBLING GAME LICENCES

Article 35

Licences according to this Act are:

- a) general licence;
- b) individual licenses, which include:
 - 1. licence for the operation of lottery games;
 - 2. licence for the operation of state lottery;
 - 3. licence for the operation of charity lottery;
 - 4. licences for the operation of bet games including horse race bets and totalizator;
 - 5. licence for the operation of rate bets in a gambling house and establishments;
 - 6. licence for the operation of gambling games operated by means of technical equipment operated directly by gamblers in a gambling house;
 - 7. licence for the operation of gambling games operated by means of gambling machines in a gambling house;
 - 8. licence for the operation of gambling games operated by means of video lottery terminals in a gambling house;

9. licence for the operation of gambling games operated by means of other technical equipment in a gambling house;
10. license for the operation of gambling games in a casino;
11. license for the operation of gambling games in a casino and of on-line games in an on-line casino;
12. licence for the operation of gambling games on gambling machines, gambling games on video lottery terminals, gambling games operated by means of technical equipment operated directly by gamblers, and gambling games operated by means of other technical equipment in a gambling house, and on-line games in an on-line casino;
13. licence for the operation of rate bets in a gambling house, establishments and in an on-line gambling house;
14. licence for the operation of rate bets in an on-line gambling house;
15. license for the operation of on-line games in an on-line casino;
16. license for the operation of gambling games pursuant to Article 4(2)(i).

TITLE TWO

COMMON CONDITIONS FOR INDIVIDUAL LICENCE GRANTING AND GENERAL LICENCE ISSUANCE FOR THE OPERATION OF GAMBLING GAMES

Article 36

(1) A licence may be granted or issued only to a legal person with a registered office in the territory of the Slovak Republic or other member state. If legal persons having a registered office in the Slovak Republic with foreign participating interest are concerned, a licence may be granted or issued only to a legal person with foreign participating interest with the registered office or permanent residence in other EU member state or a member state of the Organisation for Economic Cooperation and Development.

(2) A legal person with a registered office in other EU member state may be granted or issued a licence, if that legal person has a foreign representative office registered as provided in Article 49(1).

(3) A licence may be granted or issued also for an established legal person prior to its registration in the Companies Register or similar public register kept in other EU member state (the "register"), if they fulfil the conditions stipulated by this Act for licence granting and issuance. The gambling game may only start to be operated after registration of the legal person in the register. If a legal person fails to submit an application for registration in the register within 90 days from receiving the decision on granting an individual licence or from the day of receipt of a confirmation of meeting the notification duty or if the register court or other relevant body in other EU member state does not register a legal person in the register, the legal person must return the individual licence to the authority; the legal person that was issued a confirmation of meeting the notification duty by the authority must return such confirmation to the authority.

(4) A licence must not be transferred to another person, not even as a component of the enterprise during the transfer of the enterprise or its part, and the licence does not pass on to a legal successor at fusion, merger or split-up of a gambling game operator.

(5) The conditions for granting an individual licence and the conditions for gambling games operation based on a general licence must be met throughout the whole period of licence validity.

TITLE THREE
GENERAL LICENCE FOR THE OPERATION OF GAMBLING GAMES

Article 37

(1) Draw in-kind lotteries, raffles and off casino card games may be operated on the basis of a general licence issued by the authority and after meeting the notification duty according to Article 38. In the general licence, the Authority will determine the conditions for the operation of draw in-kind lotteries, raffles and off casino card games.

(2) The Authority shall issue the general licence for a number of legal persons not determined beforehand according to Article 36; after meeting the conditions specified in the licence, the persons may operate the gambling game for which this licence is issued. The general licence is issued for an indefinite period.

(3) The conditions stated in the general licence for the operation of draw in-kind lotteries and raffles include in particular:

- a) draw in-kind lottery or raffle notification essentials;
- b) the way and time limit of depositing the financial guarantee;
- c) the way and time limit for gambling game accounting;
- d) the way of levy payment;
- e) factual and content essentials of the lot;
- f) conditions of drawing of lots;
- g) the requirements to be met by natural person responsible for gambling game operation in terms of experience and education of the person and their position with the legal person pursuant to Article 36(1);
- h) the way, scope and time of archiving the documents regarding the draw in-kind lottery and raffle.

(4) The conditions stated in the general licence for the operation of off casino card games include in particular:

- a) the off casino card game notification essentials;
- b) the way and time limit of depositing the financial guarantee;
- c) the way and time limit for gambling game accounting;
- d) the way and time limit for levy payment;
- e) number of tables and the type thereof;
- f) the way of table marking;
- g) the type and beginning of tournament;
- h) the amount of guaranteed winnings in the tournament;
- i) the number of gamblers;
- j) the requirements to be met by natural person responsible for gambling game operation in terms of experience and education of the person and their position with the legal person pursuant to Article 36(1);
- k) the way and scope of archiving the documents, particularly regarding the stakes, winnings and fees;
- l) the way, scope and time of archiving the documents regarding the off casino card games.

(5) The conditions mentioned in the general licence must correspond to the nature of the gambling game, for which the general licence is issued; they must be adequate, transparent and must not handicap the persons interested in gambling game operation based on a general licence.

(6) The Authority shall publish the draft general licence on its web site at least 40 days before its expected declaration together with a call for submission of comments and information on the place and deadline for their raising with regard to the draft general licence; this deadline must not be shorter than 30 days from release of that draft. The Authority shall release the evaluation of comments on the draft general licence on its web site.

(7) The Authority shall publish the general licence on its web site. The general licence shall take effect on the date of publishing unless it contains a later effective date.

(8) The provisions of paragraphs 6 and 7 shall also be applied *mutatis mutandis* to an amendment or cancellation of the general licence.

(9) In case of an amendment or cancellation of the general licence, the gambling game operators that have met the notification duty pursuant to Article 38 can finish the operation of the draw in-kind lottery, raffle or off casino card game according to the original general licence.

Article 38

Notification Duty

(1) The legal person that wishes to operate a draw in-kind lottery, raffle or off casino card game shall be obliged to give notification of this intention to the Authority no later than 15 days before the commencement of their operation unless a longer time limit is specified in the general licence.

(2) The written notification shall contain:

- a) name or trade name, registered office, legal form and identification number of the legal person pursuant to paragraph 1, if allocated;
- b) name and surname of the natural person or natural persons authorised to act on behalf of the legal person pursuant to paragraph 1;
- c) the game plan of the gambling game;
- d) the start and end dates of gambling game operation;
- e) the amount of levy, if it can be specified before the start date of gambling game operation;
- f) other data specified by the general licence.

(3) Based on delivery of the notification referred to in paragraph 2, the Authority shall register the legal person pursuant to paragraph 1 in the register of gambling game operators based on the general licence, and such legal person shall become a gambling game operator. If the notification is not complete, the Authority shall, no later than in ten days from delivery of such notification, call upon the legal person pursuant to paragraph 1 to provide additional information while specifying the time limit that must not be shorter than ten days. The Authority, to which the legal person pursuant to paragraph 1 delivered a complete notification, shall, within seven business days from the day of delivery of such notification, give a confirmation to that person of having met the notification duty. The confirmation of meeting the notification duty shall contain the period of gambling game operation, the information concerning the payment of levies, and the list of establishments. A copy of the notification pursuant to paragraph 2 and the game plan of the gambling game shall be attached to the confirmation.

(4) Gambling game operator is obliged to give notification to the Authority of each change of the data and facts entered in the notification pursuant to paragraph 2 in 15 days from the date thereof, and the provisions of paragraph 3 shall be applied, *mutatis mutandis*, to the change proceeding.

(5) If the gambling game operator wishes to continue in gambling game operation based on the general licence for a period longer than the one mentioned in the notification pursuant to paragraph 2(d), they shall be obliged to give notification of their intention to the Authority no later than 15 days before the day of termination

of gambling game operation. Based on delivery of this notification, the Authority shall keep the gambling game operator in the register of gambling game operators based on general licence and issue a confirmation of meeting the notification duty to the gambling game operator. The confirmation of meeting the notification duty shall contain the period of gambling game operation, the information concerning the payment of levies, and the list of establishments. A copy of the notification of the intention pursuant to the first sentence and the game plan of the gambling game shall be attached to the confirmation.

(6) The Authority shall make out a registration label for each card table separately in five days from when the levy was credited to the Authority's account. The registration label shall contain the identification of the Authority, the number of the registration label, the trade name, registered office and identification number of the operator of the off casino card game, the validity of the registration label, the issue date thereof, and the seal of the Authority. The registration label shall be attached to a card table by an employee in charge of supervision no later than in 15 business days from its issue date in a way that the registration label would be irreversibly destroyed if removed.

(7) The operation of a gambling game by a legal person pursuant to paragraph 1 without delivery of the notification within the specified time limit or operation of a gambling game by a gambling game operator pursuant to paragraph 5 without confirmation of meeting the notification duty shall be considered operation of gambling game without licence.

TITLE FOUR

GRANTING INDIVIDUAL LICENCES FOR OPERATION OF GAMBLING GAMES

Article 39

(1) Unless otherwise provided by this Act in Article 37(1), gambling games can be operated on the basis of an individual licence granted by the Authority.

(2) An individual licence shall be granted by the Authority to the applicant that

- a) that submits a complete application for the individual licence;
- b) proves to have met the conditions laid down in this Act;
- c) has share capital, capital of foundation, or owner's capital in the amount set under this Act;
- d) has deposited the financial guarantee in the amount set under this Act;
- e) does not owe any levies or contributions under this Act;
- f) does not owe any tax;
- g) does not owe social insurance contributions;
- h) does not owe public health insurance contributions;
- i) does not have other liabilities under this Act;
- j) meets the requirements for location of a gambling house pursuant to Article 15(5), (7) and (16), if the applicant applies for an individual license for the operation of gambling games in a gambling house;
- k) meets the requirements for location of a casino pursuant to Article 16(5), if the applicant applies for an individual license for the operation of gambling games in a casino;
- l) does not apply for the operation of gambling game in the territory of the municipality that passed a municipal generally binding regulation forbidding operation of a gambling game in a casino, gambling game operated by means of gambling machines, gambling game operated by means of technical equipment operated directly by gamblers, and gambling game operated by means of video lottery games;
- m) has integrity, the same applies to the natural person responsible for operation of the gambling game and the natural person who is a member of the statutory body or is a statutory body; integrity is subject to the provisions of Article 48(4) and (5);
- n) meets the condition that neither the applicant, nor any of the entrepreneurs which belong in the applicant's group has been included in the lists referred to in Article 85(1) in the period of 12 months prior to filing the application for an individual licence.

(3) If the applicant for an individual licence for gambling game operation is an operator of this gambling game based on the individual licence already granted, the Authority shall grant a new individual licence to the applicant for the operation of the same gambling game with the validity no sooner than on the day following the day when the period for gambling game operation should have expired according to the individual licence already granted, and the individual licence can be granted no sooner than 60 days before the start date of operation of the gambling game specified in the individual licence; the time limits for granting an individual licence pursuant to Article 40 shall not be applied.

(4) The provision of paragraph 3 does not apply to the national lottery company and to the applicant for the individual license pursuant to Article 35(b) Points 11 through 15 that is the operator of rate bets, operator of a casino gambling game, operator of a gambling games operated by means of gambling machines, operator of a gambling game operated by means of video lottery terminals, operator of a gambling game operated by means

of technical equipment operated directly by gamblers, or operator of a gambling game operated by means of other technical equipment.

(5) The individual licence can be granted for a maximum of

- a) two years for pecuniary draw lotteries, pecuniary-and-in-kind draw lotteries, and for instant lotteries;
- b) two years for gambling games pursuant to Article 4(2)(i);
- c) two years for gambling games operated by means of technical equipment operated directly by gamblers in a gambling house;
- d) two years for gambling games operated by means of gambling machines in a gambling house;
- e) two years for gambling games operated by means of video lottery games in a gambling house;
- f) two years for gambling games operated by means of other technical equipment;
- g) five years for gambling games operated by means of gambling machines, gambling games operated by means of video lottery terminals, gambling games operated by means of technical equipment operated directly by gamblers, gambling games operated by means of other technical equipment in a gambling house, and on-line games in an on-line casino;
- h) five years for gambling games in a casino;
- i) five years for state lottery;
- j) five years for charity lottery;
- k) five years for bingo;
- l) five years for bet games including horse race bets and totalizator;
- m) five years for rate bets in a gambling house and establishments;
- n) five years with an option of extension for additional five years for rate bets in a gambling house, establishments and in an on-line gambling house;
- o) five years with an option of extension for additional five years for gambling games in a casino and on-line games in an on-line casino;
- p) ten years for rate bets in an on-line gambling house;
- r) ten years for on-line games in an on-line casino.

(6) For the purposes of this Act, option means the right of a gambling game operator exercised within the specified time limit to extend individual license by the time limit laid down in paragraph 5 in a manner that the operation of gambling games based on the individual licence already granted be not interrupted. To enforce the option, the gambling game operator is obliged to file an application in a period of no more than 90 and no less than 60 days before expiry of the individual licence to which the option applies. If the application for the option is not delivered to the Authority in the above time limit, the option shall be deemed not to have been used and the individual licence shall expire upon the lapse of the time limit for which it was granted.

(7) If the Authority fails to deliver the decision to the gambling game operator which enforced the option in a manner laid down in paragraph 6 in 30 days before expiry of the individual licence stating that the operator fails to meet the conditions for extension of the individual licence for extension of the option, the individual licence shall be extended by the term of the option specified in the individual licence in force. If the Authority finds the conditions for extension of the individual licence based on an option pursuant to Article 50 not to have been met, the Authority shall reject to extend the individual license based on the option enforced.

Article 40

(1) The Authority shall decide the application for individual licence in 30 business days from the date of filing a complete application.

(2) In addition to the essentials pursuant to the Code of Administrative Procedure, the decision on granting the individual licence shall also contain the type of gambling game, for the operation of which the individual licence is granted, the list and addresses of casinos, gambling games and establishments, in which the gambling game will be operated, the account number to which the levy to the state budget will be paid, the serial numbers of equipment used in operation of the gambling games operated by means of gambling machines, technical equipment operated directly by gamblers, video lottery terminals, and gambling games operated by means of other technical equipment, the conditions for the commencement of gambling game operation or termination of gambling game operation in the municipality, if in this municipality, at the time of the proceeding for granting the individual licence a draft generally binding regulation

pursuant to Article 79(3), (4), (6) or (7) is posted on the official board, the game plan of the gambling game shall be approved, if lots are used in gambling game operation, the sample lot shall be approved, and the commencement of gambling game operation and the period, for which the individual licence is granted, shall be specified; the decision on granting the individual licence for operation of state lottery, lottery of cash receipts, instant lottery and draw lottery shall not contain the list and addresses of gambling houses, casinos and establishments, in which the gambling game will be operated. If the legal person has a registered office in other EU member state, the decision granting individual licence shall also contain the name and address of foreign representative office and the obligation of a gambling game operator to tolerate supervision conducted on site and the presence of an invited person. The decision granting individual licence shall be issued exclusively in a paper form.³⁷⁾

(3) If this Act, other generally binding legal regulations regarding gambling game operation or the facts mentioned by the Authority in the decision granting the individual licence pursuant to paragraph 2 are changed, the Authority shall be entitled to change the individual licence on its own motion, in view of aligning such licence with the facts; such change must not apply to the conditions of gambling game operation.

(4) Any change in data and facts that do not require a modification in the individual licence and which are identified in the individual licence application or in the documents serving as the basis for granting the individual licence shall be notified by the gambling game operator to the Authority no later than within 15 days of the occurrence of such change, except for the data pursuant to Article 50(1)(i). Changes of the permanent residence address of the natural persons identified in the individual licence or changes of the seat of the gambling game operator shall be notified by that operator to the Authority and documented in a credible manner.

(5) In the case of any scheduled change in the data and facts identified in the individual licence, the documents approved by the Authority in granting the individual licence or those that are attached to the individual licence, the gambling game operator shall apply for a change in such licence in advance. The provisions on individual licence granting shall be applied *mutatis mutandis* to the proceeding for the change in the individual licence. The application for a change in the individual licence shall only state the facts or only be accompanied by the documents affected by the licence change.

Article 41

The gambling game operator registered in the register shall be obliged to file with the registration court or other competent authority in other EU member state an application for the registration of the permitted activity in the register based on individual licence for gambling game operation or based on a confirmation meeting the notification duty within ten days from the day, when the decision on granting the individual licence came into legal force or in ten days from receipt of the confirmation of meeting the notification duty, and to submit to the Authority the extract from the register within ten days from the day, when the decision of the registration court or other competent authority in other EU member state on the registration of the permitted activity came into

legal force; presentation of the extract from the register does not apply to the gambling game operator seated in the territory of the Slovak Republic.

TITLE FIVE

SPECIAL CONDITIONS FOR GRANTING INDIVIDUAL LICENCES FOR OPERATION OF THE SELECTED TYPES OF GAMBLING GAMES

Article 42

Special Conditions for Granting Individual Licence for Operation of State Lottery

(1) Individual licence for the operation of state lottery may only be granted to the national lottery company.

(2) The decision granting individual licence for the operation of state lottery shall, in addition to the essential referred to in the Code of Administrative Procedure, also approve the game plan, sample lot if lots are going to be used during operation of state lottery, the beginning of state lottery operation shall be set, the time limit for which such individual license is being granted, and other conditions for operation of state lottery may be laid down for the operator of state lottery. Further, the decision on granting the individual licence for the operation of state lottery shall contain in particular:

- a) the number of lots, the price of one lot, and the total amount of the game principal, if they are known before the beginning of state lottery operation and if they are used for the operation of gambling game; as regards cash receipt lottery, the number of lots, the price of one lot and the total amount of the game principal are not provided;
- b) the time limit for the submission of the final statement of the state lottery that must not exceed 60 days from the date of state lottery individual licence expiry.

Article 43

Special Conditions for Granting Individual Licence for Operation of Charity Lottery

(1) An individual licence for the operation of a charity lottery may only be granted to a foundation³⁸⁾ having its registered office within the territory of the Slovak Republic (hereafter the "foundation") or a professional association of foundations³⁹⁾ having its registered office within the territory of the Slovak Republic (hereafter the "professional association") provided that

- a) the capital of the foundation is at least EUR 166,000 or the sum of the capital of all the professional association's members totals that amount;
- b) over the last five years the foundation or the professional association's members have provided at least EUR 5,000,000 for the purposes beneficial to public, to civic associations, non-for-profit organisations providing services beneficial to public or to other foundations, while each year the foundation or the professional association's members have provided at least EUR 830,000 to at least 100 civic associations, not-for-profit organisations providing services beneficial to public or to other foundations;
- c) the foundation or the professional association's members have filed the audit report with the register of financial statements each year during the past five years⁴⁰⁾.

Article 44

The decision granting individual licence for the operation of charity lottery shall, in addition to the essentials referred to in the Code of Administrative Procedure, also approve the game plan, sample lot if lots are going to be used during operation of charity lottery, the time limit for which such individual license is being granted, and other conditions for operation of charity lottery may be laid down for the operator of charity lottery.

Article 45**Special Conditions for Granting Individual Licence for Operation of Bet Games to the State Company**

(1) Bet games including horse race bets in horse races taking place in the Slovak Republic may only be operated by a state company⁴¹⁾ with the consent of the Ministry of Agriculture and Rural Development of the Slovak Republic.

(2) The owner's capital of the applicant must not be less than EUR 330,000.

Article 46**Special Conditions for Granting Individual Licence for Operation of Gambling Games in a Casino**

(1) If an individual licence for the operation of casino gambling games is to be granted to a joint-stock company, all its shares must be issued as book-entry registered shares; any change of their version or form is prohibited.

(2) Special conditions for the operation of casino gambling games include the reliability and public interest. The reliability shall be assessed with respect to persons pursuant to Article 60(2) and the public interest shall be assessed in relation to the place where the casino gambling games are to be operated. In the application for individual licence for the operation of casino gambling games, the applicant shall be obliged to prove their reliability and that the operation of casino gambling games in the selected place is not in conflict with the public interest.

(3) Reliable person shall mean a person who has performed their functions or run a business without any violation of generally binding legal regulations in the last ten years, and with respect to these facts they provide guarantee that they will reliably and without any violation of generally binding legal regulations perform the proposed function pursuant to Article 60(2) including the fulfilment of duties resulting from generally binding legal regulations. The provision of Article 48(5) shall apply *mutatis mutandis* to the proof of reliability.

Article 47

(1) In addition to the essentials referred to in Article 40(2), a separate condition laid down in the decision granting individual license for the operation of casino gambling games also includes the obligation to install monitoring equipment in order to monitor the course of gambling games and daily accounting of the gambling game results, and the period of archiving the monitoring equipment recordings.

(2) The decision granting individual license for the operation of casino gambling games shall approve

- a) the number and type of gambling tables;
- b) the sample of chips;
- c) gambling currency;
- d) the number of gambling machines, technical equipment operated directly by gamblers, video lottery terminals and the number of other technical equipment.

(3) The individual licence for operation of gambling games in a casino may also contain conditions that the casino gambling games operator is obliged to meet prior to the start date of casino gambling game operation, or the conditions which the casino gambling games operator is obliged to meet while operating any permitted gambling game in a casino.

PART SIX
APPLICATION FOR INDIVIDUAL LICENSE AND ITS ESSENTIALS
TITLE ONE GENERAL PROVISIONS

Article 48

(1) The application for an individual licence may be filed by a joint-stock company or a limited-liability company having its registered office in the Slovak Republic with a Supervisory Board established. The application for individual licence may also be filed by a joint-stock company, a limited-liability company or similar business organisation having its registered office in other EU member state, state enterprise, foundation or professional association having its registered office in the Slovak Republic; if the application is filed by a joint-stock company with a registered office in the Slovak Republic or similar business organisation with a registered office in other EU member state, its shares must be issued as book-entry registered shares. The application for individual license and all annexes thereto shall be made out in the official language; if the application is filed by a company with a registered office in other EU member state, it shall file the certified translation of all documentation to the official language.

(2) The applicant for the individual licence for the operation of gambling games by means of technical equipment is obliged to provide to the Authority the selected data concerning that equipment. The data concerning the type of such equipment, form and structure of the data provided and the method of the provision thereof shall be laid down in a generally binding legal regulation to be issued by the Ministry of Finance.

(3) If the documents referred to in Article 50(1)(i) and (2)(c) and (d) have already provided to the Authority within a different proceeding, the Applicant shall only make a representation that no change occurred with regard to those documents and refer to the proceeding in which those documents were provided.

(4) For the purposes of this Act, a person possessing integrity shall mean the person who was not lawfully sentenced for

- a) an economic crime, crime against order in public matters or a crime against property;
- b) other wilful criminal act.

(5) Integrity shall be proved by an extract from the Criminal Record. Legal person which has a registered office in the Slovak Republic and the natural person who has permanent residence in the Slovak Republic shall provide the data necessary for the application for the extract from the Criminal Record, and the consent to the processing thereof. Legal person which does not have a registered office in the Slovak Republic shall prove integrity using the corresponding documents issued by the state in which it is seated. The natural persons who do not have the permitted permanent residence in the territory of the Slovak Republic, shall prove integrity by corresponding documents issued by the state, the citizens of which they are, as well as by the documents issued by the states, in which they stayed continuously for more than three months in the last three years (hereinafter the "foreign document"). The aliens with abode in the territory of the Slovak Republic where at the time of proving integrity this stay has lasted for at least six calendar months, shall also provide in addition to the foreign document the data necessary for the application for the extract from the Criminal Record and the consent to the processing thereof. The citizens of the Slovak Republic who do not stay in the territory of the Slovak Republic on a long-term basis shall prove their integrity by a foreign document and, at the same time, shall provide the data necessary for the application for the extract from the Criminal Record, and the consent to the processing thereof. The foreign document must not be older than three months at the time of its provision.

Article 49

(1) Legal person having its registered office in other EU member state which wishes to operate gambling

games based on an individual license or general license (hereinafter the "foreign applicant") must, prior to filing the application for the individual licence for the operation of gambling games or provision of the notification of the intent to operate gambling games based on a general licence, set up a foreign representative office in the territory of the Slovak Republic based on registration in the list of foreign representative offices (hereinafter the "list of representative offices"). The decision concerning registration in the list of representative offices is made by the Authority.

(2) For the purposes of this Act, foreign representative office means a person who represents foreign applicant in the territory of the Slovak Republic and by way of which the foreign applicant communicates with the Authority. Foreign representative office communicates with the Authority by way of the head of the foreign representative office. In correspondence, the foreign representative office shall always use the designation "Foreign representative office", its correspondence address, and the name and registered office of the foreign applicant. After registration of foreign representative office, the foreign applicant is obliged to only communicate with the Authority by way of such office, unless otherwise provided in paragraph 5. The content and scope of data entered in the list of representative offices and the essentials of the application for registration in the list of representative offices, application for erasure from the list of representative offices, and the application for a change of the data registered in the list of representative offices including annexes thereto shall be laid down in a generally binding legal regulation to be issued by the Ministry of Finance.

(3) The foreign representative office communicates with the Authority on behalf of the foreign applicant in the official language

- a) in the course of the proceeding concerning individual licence for the operation of gambling games or when meeting the notification duty on behalf of the foreign applicant,
- b) after the individual licence is granted to the foreign applicant or foreign applicant's registration in the records of operators of gambling games based on a general licence, at least until settlement of the liabilities out of operation of the gambling game.

(4) The foreign representative office may not operate a gambling game and is not registered in the register.

(5) The foreign applicant shall file the application for registration of the foreign representative office in the list of representative offices and the application for erasure of the foreign representative office from the list of representative offices. The Authority shall decide the registration in, or erasure from, the list of representative offices and such changes of the data registered in the list of representative offices which would have an impact on the registration in the list of representative offices. After the individual licence is granted, the gambling game operator with a registered office in other EU member state shall ask the Authority to incorporate the changes of data registered in the list of data stated in the list of representative offices in 30 days from the occurrence of the events justifying changes of the data stated in the list of representative offices.

(6) The foreign representative office must be empowered by the foreign applicant to represent the applicant to the extent of the foreign applicant's obligations under this Act during the proceeding concerning individual licence and to the extent of the gambling game operator's obligations in accordance with this Act after the individual licence is granted. Such empowerment must also include the name and surname, date of birth and the correspondence address of the head of the foreign representative office.

(7) The function of the head of foreign representative office may be held by a natural person who meets the following requirements:

- a) he or she is a citizen of the Slovak Republic;
- b) he or she has completed the graduate level of university education in law or economy;
- c) he or she has full legal capacity; and
- d) he or she possesses integrity, while a person possessing integrity is a natural person who has not been lawfully sentenced due to a crime; in order to prove integrity, the natural person shall provide the data

necessary for the application for the extract from the Criminal Record and the consent to the processing thereof.

(8) The Authority may supervise compliance with the conditions laid down under this Act and the related generally binding legal regulations. The foreign representative office is obliged to provide the Authority with the requested cooperation during the Authority's conduct of such supervision. If the foreign representative office fails to meet the conditions laid down by this Act, the Authority may decide to erase the foreign representative office from the list of representative offices. The Authority may initiate the proceeding concerning erasure of the foreign representative office from the list of representative offices, if the foreign representative office fails to remove the irregularities identified in spite of Authority's request and if informed of such consequence.

Article 50

(1) If the individual licence is applied for by a joint-stock company, limited liability company with a registered office in the Slovak Republic, or a similar business organisation with a registered office in other EU member state, the following shall be stated in the application for individual licence:

- a) trade name and registered office;
- b) identification number, if assigned to the applicant;
- c) share capital;
- d) list of members or shareholders, or subscribers of shares stating:
 - 1. trade name, registered office, identification or name, surname, permanent residence and personal identification number of the member or shareholder, or subscribe of shares, or the date of birth, if the personal identification number has not been assigned;
 - 2. number and total face value of shares held by a shareholder, or number and total face value of shares subscribed by the subscriber, or the amount of member's contribution and such member's ownership interest;
 - 3. information concerning shareholder's or member's voting rights;
- e) the information about voting rights of a shareholder or member who holds more than 10% of voting rights in other legal entities and the information about the owners of such shareholder, or subscriber of shares of member;
- f) name, surname and personal identification number, or date of birth, if the personal identification number has not been assigned, of the members of the board of directors, supervisory board, directors, authorised signatories and natural persons responsible for internal control;
- g) name, surname and personal identification number, or date of birth, if the personal identification number has not been assigned, of a qualified natural person carrying out the function of a statutory body or a member of the statutory body to be responsible for the operation of a gambling game; if the legal person has a registered office in the territory of other EU member state, also the name, surname and personal identification number, or date of birth, if the personal identification number has not been assigned, of the head of foreign representative office shall be provided;
- h) territorial scope of operation and location of the gambling game;
- i) number of employees and list of suppliers of technical equipment designed for the operation of gambling games;
- j) time period during which the gambling game shall be operated, and the expected start date of gambling game operation;
- k) address of the web site where the on-line game shall be available, where the application for an individual

licence for on-line games is concerned.

(2) The applicant shall attach the following to the application:

- a) articles of incorporation, memorandum of association, or articles of association, where just established business organisations with a registered office in the Slovak Republic are concerned;
- b) extract from the register, where business organisation with a registered office in other EU member state are concerned; if they are not registered in the register, the memorandum of association, articles of incorporation or other deed shall be attached;
- c) by-laws;
- d) draft organisational structure of the applicant;
- e) draft business and financial plan relating to the operation of gambling game which must contain, in particular
 1. the expected extent of gambling game operation in terms of the volume of gained proceeds and possibilities of expansion in terms of financial, personnel and organizational possibilities of the applicant in the first three years;
 2. the estimated expenditure spent on gambling game operation;
 3. the estimated financial sources that will have to be spent on gambling game operation, and the method of their acquisition;
 4. the expected extent of liabilities arising in connection with the operation of the gambling game;
- f) a written declaration of partners or shareholders, possibly subscribers of shares, that they were not declared bankrupt nor the petition for bankruptcy was refused for a lack of assets; this shall not apply if a national lottery company is the applicant for individual licence granting;
- g) information necessary for filing the application for an extract from the Criminal Record relating to the applicant and natural persons responsible for the operation of a gambling game, and the natural persons who are members of a statutory body or are a statutory body, and the consent to the processing thereto;
- h) documents proving integrity of the applicant and natural persons responsible for gambling game operation, and of natural persons who are members of a statutory body or are a statutory body, where business organisations having registered office in other EU member state are concerned;
- i) game plan;
- j) operating rules; submitted by the operator of a gambling game according to Article 4(2)(e) through (h);
- k) statutory declaration of the applicant on taking measures to prevent persons younger than 18 years and persons registered in the register of excluded persons from taking part in the gambling game, and description of such measures;
- l) the document on payment of the administrative fee according to a special regulation⁴²⁾;
- m) statutory declaration that the financial guarantee has not been paid using funds coming from loans, credits or other foreign sources;
- n) the documents on the technical assessment of the equipment and systems specified in Article 86(2) issued by the authorised test plant, which will be used during the operation of gambling games;
- o) the confirmation of the competent tax administration being the tax office, or confirmation of a similar authority that the applicant has no tax arrears; the confirmation must not be older than three months on the date of submission;
- p) the confirmation of the Social Insurance Company or of a similar authority that the applicant has no arrears with regard to the social security contribution; the confirmation must not be older than three months on the date of submission;

- r) the confirmation of the Public Health Insurance Company or of a similar authority that the applicant has no arrears with regard to the public health insurance premiums; the confirmation must not be older than three months on the date of submission;
- s) description of the technical equipment intended for the operation of gambling games; this description shall be submitted by the applicant for an individual licence for operation of gambling games pursuant to Article 4(2)(h) and (i);
- t) description of other equipment and systems referred to in Article 86(2), if they are going to be used during operation of a gambling game; this description shall be submitted by the applicant for an individual licence for operation of gambling games pursuant to Article 4(2)(h) and (i).

(3) The applicant must prove

- a) payment of the share capital in full extent by a monetary contribution by providing an account statement of a bank or foreign bank branch; this shall not apply to business organisations which have already been granted an individual licence, and the business organisations with registered office in other EU member state which prove to have paid in the share capital by an extract from the register;
- b) a transparent, credible and legal origin of the registered capital and financial resources representing the financial guarantee, by providing the facts on the origin of the registered capital and these financial resources; this shall not apply to the application for granting an individual licence for the operation of state lottery, which permits the operation of the lottery of cash receipts;
- c) professional competence of natural persons responsible for gambling game operation by enclosing a professional curriculum vitae with the summary of professional experience and completion of vocational trainings and internships including statutory declarations that the data in the curriculum vitae are true, and these persons' signatures in the statutory declarations must be officially certified;
- d) securing electronic data transmission using secure communication, if it is expected to be used during operation of a gambling game, by attaching certificates pursuant to Article 88(3).

(4) The gambling game operator that wishes to exercise the option referred to in Article 39(6) shall submit an application including the information listed in paragraph 1. The gambling game operator must attach to the application the documents and declarations referred to in paragraph 2, except the documents and declarations referred to in points (c), (d) and (k) of paragraph 2, and prove the facts referred to in points (c) and (d) of paragraph 3.

(5) The operator of gambling games pursuant to paragraph 4 which was granted an individual licence for the operation of casino gambling games and on-line games in an on-line casino shall provide, in addition to the application referred to in paragraph 1, documents and declarations listed in paragraph 4 and proving the facts pursuant to paragraph 4, also special essentials of the application as referred to in Article 61.

(6) The operator of gambling games pursuant to paragraph 4 which was granted an individual licence for the operation of rate bets in a casino, in establishments and on-line gambling game shall provide, in addition to the application referred to in paragraph 1, documents and declarations listed in paragraph 4 and proving the facts pursuant to paragraph 4, also special essentials of the application as referred to in Article 63.

Article 51

(1) If a state-owned enterprise applies for an individual license for the operation of gambling games being horse race bets and totalizator, the state-owned enterprise shall provide the essentials referred to in points (b), (g) through (j) of paragraph 1 of Article 50 as well as

- a) the name and registered office of the applicant;
- b) the name, registered office and identification number of the founder;

- c) the amount of equity;
- d) the first names, surnames and personal identification numbers or the dates of birth, if a personal identification number has not been assigned, of the Supervisory Board members, if such Board has been set up, the Manager, other natural persons authorised to act on behalf of the applicant and the natural persons in charge of internal audit;
- e) subject-matter and type of a bet game;
- f) the amount of the handling fee which is not a part of the bet, if requested by applicant from gamblers;
- g) addresses of establishments; the data shall be provided in the form and structure laid down in a generally binding legal regulation issued by the Ministry of Finance in accordance with Article 48(2).

(2) The applicant shall attach to the application:

- a) the Articles of Association;
- b) the consent of the Ministry of Agriculture and Rural Development of the Slovak Republic pursuant to Article 45(1);
- c) documents referred to in points (d), (e), (g), (i), (k) through (n) of paragraph 2 of Article 50;
- d) consent of the municipality to the operation of horse race bets and totalizator in its territory.

(3) In addition to the essentials referred to in points (c) and (d) of paragraph 3 of Article 50, the applicant shall also document

- a) the amount of equity as of the date of the submission of the individual licence application in accordance with paragraph 1 by providing a document proving that amount of equity;
- b) a transparent, credible and lawful source of funds representing financial guarantee by specifying the facts in respect of the origin of such funds;
- c) the applicant's statutory declaration that they are not interconnected in terms of assets, personnel or otherwise with sports organisations and clubs operating in the territory of the Slovak Republic, whose results will represent the subject of bets; the signature of the natural person authorised to act on behalf of the applicant must be officially certified.

Article 52

(1) If the applicant applies for an individual license for the operation of charity lottery, the applicant shall provide the essentials referred to in points (b), (g) through (j) of paragraph 1 of Article 50 as well as

- a) the name and registered office of the foundation or professional association;
- b) the name, registered office and identification number of the founder;
- c) the amount of capital of the foundation or the sum of capitals of all members of the professional association;
- d) the first names, surnames and personal identification numbers or dates of birth, if a personal identification number has not been assigned, of the Management Board members and Supervisory Board members, the administrator of the foundation and other natural persons authorised to act on behalf of the foundation or professional association.

(2) The applicant shall attach to the application:

- a) the Memorandum of the Foundation, the Articles of Association or the minutes of a constituting members' meeting, if a professional association is concerned;
- b) a written declaration by the foundation's statutory representative, or a written declaration of a person authorised to act on behalf of the professional association, indicating that the assets of the foundation or the

assets of the interest association are neither subject to any bankruptcy order nor any bankruptcy petition has been rejected on the grounds of insufficient assets;

- c) documents referred to in points (d), (e), (g), (i), (k) through (n) of paragraph 2 of Article 50;
- d) name and description of the charity lottery;
- e) the specification of the objective of the charity lottery;
- f) the specification of bet determination and the description of proving that a bet was placed;
- g) the description, name and address of the facility that will be used for the operation of the gambling game;
- h) the documents indicating that the facts pursuant to points (b) and (c) of paragraph 1 and point (c) of paragraph 3 have been fulfilled.

(3) In addition to the essentials referred to in points (c) and (d) of paragraph 3 of Article 50, the applicant shall also document

- a) the amount of the capital of the foundation or the sum of capitals of all professional association members as of the date of filing an individual licence application in accordance with paragraph 1 by providing the document proving that fact;
- b) a transparent, credible and lawful source of funds representing financial guarantee by specifying the facts in respect of the origin of such funds.

Article 53

(1) If the application for granting an individual licence is incomplete, no later than within 15 business days from the delivery of the application, the Authority shall call upon the applicant to provide the missing information, specifying the time limit that must not be shorter than ten business days, and warn the applicant that if the missing information is not provided, the proceeding will be suspended.

(2) The replies of the municipality in accordance with Article 59(1)(c), Article 60(1)(i), Article 61(1)(l), and consents of the municipality in accordance with Article 56(c), Article 58(1)(d), Article 63(1)(g) shall be valid while the individual licence remain valid; this shall not apply to the operator of gambling games which wishes to exercise the option referred to in Article 39(6).

Article 54 **Registered Capital**

(1) The registered capital of the applicant must amount to at least

- a) EUR 70,000 for bingo;
- b) EUR 335,000 for pecuniary draw lotteries, pecuniary-and-in-kind draw lotteries and instant lotteries;
- c) EUR 335,000 for bet games including horse race bets and totalizator;
- d) EUR 335,000 for gambling games by means of gambling machines operated in a gambling house;
- e) EUR 335,000 for gambling games operated by means of technical equipment operated directly by gamblers in a gambling house;
- f) EUR 335,000 for gambling games operated by means of video lottery terminals operated in a gambling house;
- g) EUR 335,000 for gambling games operated by means of other technical equipment;
- h) EUR 335,000 for rate bets operated in gambling houses and establishments;
- i) EUR 1,700,000 for gambling games operated in a casino;

- j) EUR 1,700,000 for gambling games operated in a casino and on-line games operated in an on-line casino;
- k) EUR 1,700,000 for gambling games operated by means of gambling machines, video lottery terminals, and technical equipment operated directly by gamblers operated in a gambling house, and on-line games operated in an on-line casino;
- l) EUR 1,700,000 for rate bets operated in an on-line gambling house;
- m) EUR 1,700,000 for gambling games operated in an on-line casino.

(2) The registered capital must be paid-in no later than on the date of filing the individual licence application.

TITLE TWO

SPECIAL ESSENTIALS OF INDIVIDUAL LICENCE APPLICATION FOR OPERATION OF GAMBLING GAMES

Article 55

Special Essentials of Individual Licence Application for Operation of Pecuniary Draw Lotteries, Pecuniary-and-In-Kind Draw Lotteries, and Instant Lotteries

The application for an individual licence for the operation of pecuniary draw lotteries, pecuniary-and-in-kind draw lotteries and instant lotteries shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as

- a) a sample lot meeting the conditions listed in Article 19;
- b) the declaration of the applicant for individual licence for the operation of pecuniary draw lotteries, pecuniary-and-in-kind draw lotteries and instant lotteries that the lots are sufficiently protected against forgery or other abuse and the applicant shall be obliged to submit to the Authority, no later than within five business days before the commencement of the sale of lots, an expert opinion issued by an expert institute⁴³;
- c) the number of lots issued, and if several lot series are issued, also the exact identification of the series specifying the number of lots issued in each series;
- d) the time of sale of lots.

Article 56

Special Essentials of Individual Licence Application for Operation of Bingo

The application for an individual licence for the operation of bingo shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as

- a) the sample of lots;
- b) the address of the operation where bingo is to be operated;
- c) the consent of a municipality to the operation of bingo in its territory and location of the establishment pursuant to point (b).

Article 57

Special Essentials of Individual Licence Application for Operation of State Lottery

The individual licence application for the operation of state lottery, except the cash receipt lottery, shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as the bet determination method and the method of proving that a bet was placed by the gambler; if equal instruments

are used by gamblers to determine the bet, the applicant shall attach the template of such instrument.

Article 58

Special Essentials of Individual Licence Application for Operation of Rate Bets in a Gambling House and Establishments

(1) The application for an individual licence for the operation of rate bets in a gambling house and in establishments shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as

- a) subject-matter and type of a rate bet;
- b) the amount of the handling fee which is not a part of the bet, if requested by applicant from gamblers;
- c) addresses of gambling houses and establishments; the data shall be provided in the form and structure laid down in a generally binding legal regulation issued by the Ministry of Finance in accordance with Article 48(2);
- d) consent of a municipality to the operation of rate bets in a gambling house and in an establishment in accordance with point (c);
- e) municipality's opinion on the adoption of generally binding regulation pursuant to Article 79(3); the municipality's opinion shall be submitted by the applicant that wishes to operate rate bets in a gambling house;
- f) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(6);
- g) the applicant's statutory declaration that they are not interconnected in terms of assets, personnel or otherwise with sports organisations and clubs operating in the territory of the Slovak Republic, whose results will represent the subject of bets; the signature of the natural person authorised to act on behalf of the applicant must be officially certified.

(2) The opinion of the municipality referred to in point (f) of paragraph 1 also contains the opinion of the municipality on compliance with the requirement for distance of the gambling house's location as referred to in Article 15(5), if the municipality adopted a generally binding regulation of municipality as referred to in Article 79(6). The opinion of a municipality shall be submitted by the applicant that wishes to operate rate bets in a gambling house. If the municipality provides in its opinion that the requirement for distance of the gambling house has not been met, operator cannot obtain a permit to operate a gambling game in such gambling house.

Article 59

Special Essentials of Individual Licence Application for Gambling Games Operated by Means of Gambling Machines, Gambling Games Operated by Means of Video Lottery Terminals, Gambling Games Operated by Means of Technical Equipment Operated Directly by Gamblers, and Gambling Games Operated by Means of Other Technical Equipment in a Gambling House

(1) The individual licence application for the operation of gambling games operated by means of gambling machines, gambling games operated by means of video lottery terminals, gambling games operated by means of technical equipment operated directly by gamblers, or gambling games operated by means of other technical equipment in a gambling house, including for the operation of all of the above gambling games, or a combination thereof, or any of the above gambling games must be accompanied or contain, respectively, the documents and information laid down in Article 50 as well as

- a) number and type of technical equipment to be operated in the gambling house; the data shall be provided in the form and structure laid down in a generally binding legal regulation issued by the Ministry of Finance in accordance with Article 48(2);
- b) addresses of gambling houses in which the technical equipment is to be operated;

- c) opinion of the municipality concerning the location of the technical equipment in its territory in accordance with point (b);
- d) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(3);
- e) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(6).

(2) The opinion of the municipality referred to in point (e) of paragraph 1 also contains the opinion of the municipality on compliance with the requirement for distance of the gambling house's location as referred to in Article 15(5), if the municipality adopted a generally binding regulation of municipality as referred to in Article 79(6). If the municipality provides in its opinion that the requirement for distance of the gambling house has not been met, operator cannot obtain a permit to operate a gambling game in such gambling house.

Article 60

Special Conditions of Individual Licence Application for Operation of Gambling Games in a Casino

(1) The application for an individual licence for the operation of casino gambling games shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as

- a) type of gambling games to be operated in the casino;
- b) the game plan of the gambling games operated in the casino;
- c) the operating rules of the casino;
- d) the number and type of gambling tables;
- e) the number and type of technical equipment to be operated in the casino; the data shall be provided in the form and structure laid down in a generally binding legal regulation issued by the Ministry of Finance in accordance with Article 48(2);
- f) the sample of chips;
- g) the gambling currency;
- h) the address of the casino;
- i) the opinion of the municipality concerning the location of the casino in its territory in accordance with point (h);
- j) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(4);
- k) the monitoring equipment project for the purpose of monitoring the course of gambling games and daily accounting in respect of gambling games in the casino, prepared by an authorised person⁴⁴⁾;
- l) professional CVs of the natural persons referred to in paragraph 2, indicating the completed studies and language skills, including certificates of studies completed, overview of professional experience and attendance of professional training and internships.

(2) Professional competence of natural persons proposed as members of the statutory body of the casino gambling game operator, as managers of the casino gambling game operator in direct managing competence of the statutory body, and natural persons responsible for the performance of internal control shall mean completed university education and at least three-year experience in the area of gambling games or secondary general education or secondary vocational education completed with a GCSE exam and at least ten-year experience in gambling games, of which at least three years in managing function in direct managing competence of the statutory body of the gambling game operator. The applicant shall be obliged to also prove five-year experience in the area of gambling games in casino for at least one natural person proposed as manager in direct managing competence of the statutory body.

Article 61**Special Conditions of Individual Licence Application for Operation of Casino Gambling Games and On-line Games in On-line Casino**

(1) The application for an individual licence for the operation of casino gambling games and on-line games in an on-line casino shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as

- a) type of gambling games to be operated in the casino;
- b) the game plan of the gambling games operated in the casino;
- c) the operating rules of the casino;
- d) the number and type of gambling tables;
- e) the number and type of technical equipment to be operated in the casino; the data shall be provided in the form and structure laid down in a generally binding legal regulation issued by the Ministry of Finance in accordance with Article 48(2);
- f) the sample of chips;
- g) the gambling currency;
- h) the address of the casino;
- i) the address of the on-line casino web site;
- j) the conditions applicable to the registration of a gambler and the condition applicable to the set up of a gambling account for gambling games operated in an on-line casino;
- k) statutory declaration concerning meeting the conditions referred to in Article 32;
- l) the opinion of the municipality concerning the location of the casino in its territory in accordance with point (h);
- m) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(4);
- n) the monitoring equipment project for the purpose of monitoring the course of gambling games and daily accounting in respect of gambling games in the casino, prepared by an authorised person;
- o) professional CVs of the natural persons referred to in paragraph 2, indicating the completed studies and language skills, including certificates of studies completed, overview of professional experience and attendance of professional training and internships.

(2) Professional competence of natural persons proposed as members of the statutory body of the operator of casino gambling games and on-line games in an on-line casino, as managers of the operator of casino gambling games and on-line games in an on-line casino in direct managing competence of the statutory body, and natural persons responsible for the performance of internal control shall mean completed university education and at least three-year experience in the area of gambling games or secondary general education or secondary vocational education completed with a GCSE exam and at least ten-year experience in gambling games, of which at least three years in managing function in direct managing competence of the statutory body of the gambling game operator. The applicant shall be obliged to also prove five-year experience in the area of gambling games in casino for at least one natural person proposed as manager in direct managing competence of the statutory body.

Article 62**Special Essentials of Individual Licence Application for Gambling Games Operated by Means of Gambling Machines, Gambling Games Operated by Means of Video Lottery Terminals, Gambling Games Operated by Means of Technical Equipment Operated Directly by Gamblers, and Gambling Games Operated by Means of Other Technical Equipment in a Gambling House and On-line Games in an On-line Casino**

(1) The individual licence application for the operation of gambling games operated by means of gambling machines, video lottery terminals, technical equipment operated directly by gamblers, or other technical equipment in a gambling house, including for the operation of all of the above gambling games, or a combination thereof, or any of the above gambling games and, at the same time, on-line games in an on-line casino must be accompanied or contain, respectively, the documents and information laid down in Article 50 as well as

- a) number and type of technical equipment to be operated in the gambling house; the data shall be provided in the form and structure laid down in a generally binding legal regulation issued by the Ministry of Finance in accordance with Article 48(2);
- b) addresses of gambling houses in which the technical equipment is to be operated;
- c) the address of the on-line casino web site;
- d) the conditions applicable to the registration of a gambler and the condition applicable to the setup of a gambling account for gambling games operated in an on-line casino;
- e) statutory declaration concerning meeting the conditions referred to in Article 32;
- f) opinion of the municipality concerning the location of the technical equipment in its territory in accordance with point (b);
- g) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(3);
- h) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(6).

(2) The opinion of the municipality referred to in point (h) of paragraph 1 also contains the opinion of the municipality on compliance with the requirement for distance of the gambling house's location as referred to in Article 15(5), if the municipality adopted a generally binding regulation of municipality as referred to in Article 79(6). If the municipality provides in its opinion that the requirement for distance of the gambling house has not been met, operator cannot obtain a permit to operate a gambling game in such gambling house.

Article 63**Special Essentials of Individual Licence Application for Operation of Rate Bets in a Gambling House, Establishments and in an On-line Gambling House**

(1) The application for an individual licence for the operation of rate bets in a gambling house, in establishments, and on-line gambling house shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as

- a) the subject-matter and type of a rate bet;
- b) the amount of the handling fee which is not a part of the bet, if requested by applicant from gamblers;
- c) the addresses of gambling houses and establishments; the data shall be provided in the form and structure laid down by a generally binding legal regulation issued by the Ministry of Finance pursuant to Article 48(2);
- d) the address of the on-line gambling house's web site;
- e) the conditions applicable to the registration of a gambler and the conditions applicable to the setup of a gambling account for rate bets operated in an on-line gambling house;
- f) statutory declaration concerning meeting the conditions referred to in Article 32;

- g) consent of a municipality to the operation of rate bets in a gambling house and in an establishment in accordance with point (c);
- h) municipality's opinion on the adoption of generally binding regulation pursuant to Article 79(3); the municipality's opinion shall be submitted by the applicant that wishes to operate rate bets in a gambling house;
- i) municipality's opinion on the adoption of generally binding regulation in accordance with Article 79(6);
- j) the applicant's statutory declaration that they are not interconnected in terms of assets, personnel or otherwise with sports organisations and clubs operating in the territory of the Slovak Republic, whose results will represent the subject of bets; the signature of the natural person authorised to act on behalf of the applicant must be officially certified.

(2) The opinion of the municipality referred to in point (i) of paragraph 1 also contains the opinion of the municipality on compliance with the requirement for distance of the gambling house's location as referred to in Article 15(5), if the municipality adopted a generally binding regulation of municipality as referred to in Article 79(6). The opinion of a municipality shall be submitted by the applicant that wishes to operate rate bets in a gambling house. If the municipality provides in its opinion that the requirement for distance of the gambling house has not been met, operator cannot obtain a permit to operate a gambling game in such gambling house.

Article 64

Special Essentials of Individual Licence Application for Operation of Rate Bets in an On-line Gambling House

The application for an individual licence for the operation of rate bets in an on-line gambling house shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as the statutory declaration concerning meeting the conditions referred to in Article 32, conditions applicable to the registration of a gambler, and conditions applicable to the set up of gambling account for rate bets operated in an on-line gambling house, and the address of the on-line gambling house's web site.

Article 65

Special Conditions of Individual Licence Application for Operation of On-line Games in an On-line Casino

The application for an individual licence for the operation of on-line games in an on-line casino shall be accompanied by or contain, respectively, the documents and information referred to in Article 50 as well as the statutory declaration concerning meeting the conditions referred to in Article 32, conditions applicable to the registration of a gambler, and conditions applicable to the set up of gambling account for gambling games operated in an on-line casino, and the address of the on-line casino web site.

Article 66

Special Conditions of Individual Licence Application for Operation of Gambling Games Pursuant to Article 4(2)(i)

The applicant that wishes to operate a gambling game pursuant to Article 4(2)(i) shall state in the application for individual licence for that gambling game the documents and information referred to in Article 50 as well as the data which are provided in the application for individual licence for the operation of that gambling game which is most similar to the gambling game pursuant to Article 4(2). When deciding whether or not to grant such individual licence, the Authority reviews the essentials of the application *mutatis mutandis* to the provisions of this Act treating gambling game which is most similar to that gambling game.

PART SEVEN**FINANCIAL GUARANTEE****Article 67****Common Provisions**

(1) The financial guarantee shall only be used to settle the gambling game operator's liabilities which are the levies provided for in Article 71, late payment interest pursuant to Article 94, contribution to finance the Authority pursuant to Article 78, a lawfully imposed penalty pursuant to Articles 95 and 96, and pay-out of winnings to gamblers.

(2) The financial guarantee at the minimum amount set out by this Act shall be maintained by the gambling game operator even after the expiry of the individual licence and after discontinuation of the gambling game based on a general licence until all obligations referred to in paragraph 1 have been settled and the annual statement of levies has been submitted to the Authority. If, for any reason, the amount of the financial guarantee drops below the minimum amount stipulated by this Act, the gambling game operator shall replenish the guarantee within 30 days from such reduction.

(3) The financial guarantee shall not be subject to debt enforcement pursuant to the debt enforcement code.

(4) The financial guarantee shall be deposited by the applicant to the account of the Authority. The applicant must not use funds coming from loans, credits or other foreign sources for the financial guarantee. The gambling game operator shall not be entitled to receive any interest accruing on the financial guarantee provided.

(5) The financial guarantee or a part of it can be released by the Authority if:

- a) the validity period of the gambling game operator's individual licence has expired, the gambling game operator has settled all liabilities pursuant to paragraph 1 and applies for the release of the financial guarantee and submits a statutory declaration about the pay-out of all gamblers' winnings;
- b) the gambling game operator's individual licence has been cancelled or withdrawn, the gambling game operator has settled all liabilities pursuant to paragraph 1 and applies for the release of the financial guarantee and submits a statutory declaration about the pay-out of all gamblers' winnings;
- c) the gambling game operator has not settled all liabilities pursuant to paragraph 1 and applies for the release of the financial guarantee; the Authority releases the financial guarantee for the purposes of settlement of the outstanding liabilities pursuant to paragraph 1;
- d) the gambling game operator has ceased to operate the gambling game based on general licence, applies for the release of the financial guarantee and submits a statutory declaration about the pay-out of all gamblers' winnings;
- e) the gambling game operator has applied for a decrease in the financial guarantee due to the reduction of the number of casinos, establishments operating bingo or gambling tables in operating off-casino card games, the gambling game operator has settled all liabilities pursuant to paragraph 1 and submits a statutory declaration about the pay-out of all gamblers' winnings;
- f) for a period longer than one month, the gambling game operator defaults on the settlement of the liabilities, for the settlement of which the financial guarantee pursuant to paragraph 1 is used; the Authority shall forthwith release the amount corresponding to the outstanding liabilities resulting from
 1. the submitted statement of contributions by the gambling game operator;
 2. the submitted statement of the contribution to finance the Authority;
 3. the lawful decision to apply late payment interest;

4. the lawful decision to apply a penalty;
 5. the result of the supervision confirming the claim to the pay-out of the winning to a gambler which was not paid by the operator in the time limit referred to in Article 14(17);
- g) the financial guarantee, or a part thereof, becomes excessive pursuant to this Act.
- (6) The Authority shall, within five business days following the date of transfer of the amount referred to in point (f) of paragraph 5, notify the gambling game operator of the decrease in the amount of the financial guarantee and the reason for the decrease.
- (7) If the liabilities referred to in paragraph 1 are not settled using the financial guarantee due to the failure to replenish the financial guarantee to keep it in the amount laid down under this Act, the Authority shall issue a statement of arrears which shall constitute a writ of seizure. The day of issuance of the statement of arrears is the date of enforcement thereof, and the gambling game operator shall not be notified of the compilation of the statement of arrears or its enforcement. The statement of arrears shall contain
- a) identification of the gambling game operator;
 - b) the amount of arrears pursuant to point (f) of paragraph 5;
 - c) the day on which the statement of arrears has been compiled.

Article 68

Amount of Financial Guarantee for Individual Types of Gambling Games Operated based on General Licence

The minimum amount of the financial guarantee amounts to

- a) 5% of the gambling principal in the case of in-kind draw lotteries and raffles;
- b) EUR 1,500 for one table for one year in the case of off-casino card games.

Article 69

Amount of Financial Guarantee for Individual Types of Gambling Games Operated based on Individual Licence

(1) The minimum amount of the financial guarantee amounts to

- a) 5 % of the sum calculated as the product of the number of issued lots and the price of one lot, for pecuniary draw lotteries, pecuniary-and-in-kind draw lotteries, and instant lotteries;
- b) EUR 16,500 for one bingo establishment, for bingo except for the special bingo;
- c) EUR 200,000 for charity lotteries;
- d) EUR 33,200 for bet games being horse race bets or totalizator;
- e) EUR 750,000 for rate bets operated in a gambling house and establishments;
- f) EUR 750,000 for technical equipment operated directly by gamblers in a gambling house;
- g) EUR 750,000 for gambling games operated by means of video lottery terminals in a gambling house;
- h) EUR 1,000 for each gambling machine, for gambling games operated by means of gambling machines in a gambling house, but no less than EUR 75,000;
- i) EUR 750,000 for gambling games operated by means of other technical equipment in a gambling house;
- j) EUR 500,000 for one casino, for casino gambling games;
- k) EUR 500,000 for one casino and EUR 750,000 for on-line casino, for casino gambling games and on-line games in an on-line casino;

- l) EUR 1,500,000 for gambling games operated by means of gambling machines, video lottery terminals, other technical equipment and technical equipment operated directly by gamblers in a gambling house and in an on-line casino;
- m) EUR 1,500,000 for rate bets in a gambling house, establishments and in an on-line gambling house;
- n) EUR 750,000 for on-line games in an on-line casino;
- o) EUR 750,000 for rate bets in an on-line gambling house.

(2) The minimum amount of financial guarantee for the operation of on-line games in an on-line casino and rate bets in an on-line gambling house by one operator totals EUR 1,250,000.

(3) The minimum amount of financial guarantee for the operation of on-line games in an on-line casino and rate bets in a gambling house, establishments and in an on-line gambling house by one operator totals EUR 1,500,000.

(4) As regards the operation of gambling games pursuant to Article 4(2)(i), the amount of financial guarantee shall be determined by the Authority depending on the amount of the financial guarantee for gambling games which are most similar to the gambling games referred to in Article 4.

PART EIGHT

LEVY, PAYMENT METHOD AND TIME LIMITS

Article 70

General Provisions

(1) Revenues from levies in accordance with Article 71 shall be applied towards services generally beneficial to public, in particular the provision of healthcare, social assistance, humanitarian care, the creation, development, protection and restoration of cultural values, support to artistic creation and cultural activities, education and training, development of sports, environmental creation and protection and the protection of public health.

(2) The statement of levies shall be filed by the gambling game operator by means of electronic communication in the time limits set by this Act. The statement of levies serves as the basis for application of the obligation to pay levies and late payment interest, and to compile a statement of arrears. The template of the statement of the levy paid to the state budget and municipal budgets shall be set up by a generally binding legal regulation to be issued by the Ministry of Finance. If the Authority finds out while conducting supervision that the statement of levies has not been filed in a time limit set in this Act or it contains inaccurate data, the Authority shall call upon the gambling game operator in ten days to file the statement or corrective statement in the specified time limit.

(3) If the levies pursuant to Article 71 paid to the state budget are not paid in the time limit referred to in Article 72, the Authority shall initiate the recovery proceeding with regard to the arrears; if the levies pursuant to Article 71 paid to the relevant municipality are not paid in the time limit referred to in Article 73, the relevant municipality shall initiate the recovery proceeding with regard to the arrears. The procedure laid down under Article 67(5)(f) shall be applied to the recovery of arrears.

Article 71

Amount of Levy

- (1) The gambling game operator shall pay a levy amounting to

- a) for draw lotteries, 15% of the game principal to the state budget;
- b) for raffles, 15% of the game principal to the state budget;
- c) for instant lotteries, 20% of the game principal to the state budget;
- d) for numerical lotteries, 20% of the game principal to the state budget;
- e) for bingo, 4.5% of the game principal to the state budget, and 0.5% of the game principal to the budget of the municipality in which bingo is operated;
- f) for special bingo, 4 % of the game principal to the state budget;
- g) 3% of the yield from charity lottery to the state budget;
- h) for a bet game being totalizator, 6% of the game principal to the state budget;
- i) for bet games being horse race bets, 1% of the game principal to the state budget;
- j) for bet games being rate bets operated in a gambling house and establishments, 5.5% of the game principal to the state budget, and 0.5% of the game principal to the budget of the municipality in which the gambling house and establishment is located;
- k) for board games and technical equipment operated directly by gamblers in a casino, 27% of the yield to the state budget and 3% of the yield to the budget of the municipality in which the casino is located;
- l) for casino gambling games, 22% of the fee obtained by the gambling game operator from gamblers if gamblers play against each other; the levy on the fee shall be paid to the state budget;
- m) for off-casino card games, EUR 200 for one table for one calendar month or EUR 1,500 for one table for one calendar year to the state budget;
- n) for gambling games operated by means of technical equipment operated directly by gamblers in a gambling house, EUR 4,000 for a calendar year and for each such equipment to the state budget and at least EUE 1,000 for a calendar year and for each such equipment to the municipal budget; the levy shall be paid by the gambling game operator irrespective of whether or not such equipment was operated during that calendar year;
- o) for gambling games operated by means of gambling machines in a gambling house, EUR 4,000 for a calendar year and for each gambling machine to the state budget and at least EUE 1,000 for a calendar year and for each gambling machine to the municipal budget; the levy shall be paid by the gambling game operator irrespective of whether or not the gambling machine was operated during that calendar year;
- p) for gambling games operated by means of video lottery terminals in a gambling house and casino, EUR 4,700 for a calendar year and for each video lottery terminal to the state budget and at least EUE 800 for a calendar year and for each video lottery terminal to the municipal budget; the levy shall be paid by the gambling game operator irrespective of whether or not the video lottery terminal was operated during that calendar year;
- q) for gambling games operated by means of other technical equipment in a gambling house and casino, EUR 4,700 for a calendar year and for each other technical equipment to the state budget and at least EUE 800 for a calendar year and for each other technical equipment to the municipal budget; the levy shall be paid by the gambling game operator irrespective of whether or not the other technical equipment was operated during that calendar year.

(2) The gambling game operator that was granted individual licence in accordance with Article 35(b)(11) shall pay the levy

- a) referred to in point (o) of paragraph 1 for the operation of gambling games operated by means of gambling machines in a casino;
- b) referred to in point (p) of paragraph 1 for the operation of gambling games operated by means of video lottery terminals in a casino;

- c) referred to in point (q) of paragraph 1 for the operation of gambling games operated by means of other technical equipment in a casino;
- d) amounting to 22% of the yield to the state budget for the operation of board games, gambling games operated by means of technical equipment operated directly by gamblers in a casino, and on-line games in an on-line casino;
- e) amounting to 22% of the fee to the state budget for the operation of a gambling game in a casino if gamblers play against each other; the fee constitutes the amount collected by the gambling game operator in a casino from a gambler for giving him or her the opportunity to take part in such gambling game;
- f) amounting to 22% of the fee to the state budget for the operation of a gambling game if gamblers play against each other in an on-line casino; the fee constitutes the amount collected by the gambling game operator in an on-line casino from a gambler for giving him or her the opportunity to take part in such gambling game.

(3) The gambling game operator that was granted individual licence in accordance with Article 35(b)(12) shall pay the levy

- a) referred to in point (n) of paragraph 1 for the operation of gambling games operated by means of technical equipment operated directly by gamblers in a gambling house;
- b) referred to in point (o) of paragraph 1 for the operation of gambling games operated by means of gambling machines in a gambling house;
- c) referred to in point (p) of paragraph 1 for the operation of gambling games operated by means of video lottery terminals in a gambling house;
- d) referred to in point (q) of paragraph 1 for the operation of gambling games operated by means of other technical equipment in a gambling house;
- e) amounting to 22% of the yield to the state budget for the operation of on-line games in an on-line casino;
- f) amounting to 22% of the fee to the state budget for the operation of a gambling game in a gambling house if gamblers play against each other; the fee constitutes the amount collected by the gambling game operator in a gambling house from a gambler for giving him or her the opportunity to take part in such gambling game;
- g) amounting to 22% of the fee to the state budget for the operation of a gambling game if gamblers play against each other in an on-line casino; the fee constitutes the amount collected by the gambling game operator in an on-line casino from a gambler for giving him or her the opportunity to take part in such gambling game.

(4) The gambling game operator that was granted individual licence in accordance with Article 35(b)(13) and (14) shall pay the levy

- a) amounting to 22% of the yield to the state budget, and the yield for the purposes of the levy must not be lower than 11% of the winnings paid out to gamblers in the same calendar month;
- b) amounting to 22% of the commission to the state budget for the operation of a gambling game if gamblers play against each other; the commission constitutes the amount collected by the gambling game operator from a gambler for giving him or her the opportunity to take part in such gambling game.

(5) The gambling game operator that was granted individual licence in accordance with Article 35(b)(15) shall pay the levy

- a) amounting to 22% of the yield to the state budget;
- b) amounting to 22% of the fee to the state budget for the operation of a gambling game if gamblers play against each other in an on-line casino; the fee constitutes the amount collected by the gambling game operator from a gambler for giving him or her the opportunity to take part in such gambling game.

(6) In the case of a gambling game not referred to in paragraph 1 through 5, the Authority shall determine

the amount of the levy, taking into consideration the amount of the levy referred to in paragraphs 1 through 5 in respect of a gambling game that is most similar to the gambling game for which the levy is being determined; this shall not apply to the determination of levy amount in the case of the lottery of cash receipts. The levy represents the revenue of the state budget.

Article 72

Method and Time Limits for Levy Payment to the State Budget

(1) The gambling game operator shall pay the levy referred to in Article 71(1)(a) through (c) within 15 days after the Authority's confirmation of statement accuracy; the statement shall be submitted by the gambling game operator in 30 days from expiry of the time limit for claiming the winning referred to in Article 14(17). The levy payment method shall be determined in the general licence. The method and time limits for payment of the levy referred to in Article 71(1)(m) shall be determined in the general licence.

(2) The levy referred to in points (d) through (l) of paragraph 1, points (d) through (f) of paragraph 2, points (e) through (g) of paragraph 3, paragraphs 4 and 5 of Article 71 shall be paid by the gambling game operator on a monthly basis by the 25th day after the end of a calendar month based on a monthly levy statement filed by the gambling game operator in the same time limit to the Authority.

(3) The operator of a gambling game operated by means of gambling machines, the operator of a gambling game operated by means of video lottery terminals, the operator of a gambling game operated by means of technical equipment operated directly by gamblers, and the operator of a gambling game operated by means of other technical equipment shall pay the levy to the state budget in instalments by paying one half of the levy on 31 August at the latest; if the operator of a gambling game operated by means of gambling machines, the operator of a gambling game operated by means of video lottery terminals, the operator of a gambling game operated by means of technical equipment operated directly by gamblers, and the operator of a gambling game operated by means of other technical equipment was granted the individual licence throughout the year, particularly at the time

- a) from 2 January to 30 April, such operator shall pay one half of the levy in 15 days from individual licence granting and the other half of the levy on 31 August at the latest;
- b) from 1 May to 31 August, such operator shall pay one half of the levy on 31 August at the latest and the other half until the end of the calendar year;
- c) from 1 September to 31 December, such operator shall pay the entire amount of the levy until the end of the calendar year.

(4) If the gambling game operator is granted two individual licence throughout the calendar year which licences immediately follow up one another and are granted for the operation of the same gambling game, the levy for the operation of a gambling game operated by means of technical equipment intended for the operation of that gambling game shall be paid as if it was paid based on one individual licence. The same also applies to the payment of the levy on the same gambling game that was a part of the previous individual licence, or is a part of the licence immediately following licence.

Article 73

Method and Time Limits for Levy Payment to the Municipal Budgets

(1) The levy referred to in Article 71(1)(e)(j) and (k) shall be paid by the gambling game operator on a monthly basis no later than on the 25th day after the end of the calendar month based on a monthly statement of the levy submitted within the same time limit to the municipality.

(2) The levy on the operation of a gambling game operated by means of gambling machines referred to in

Article 71(1)(o) shall be paid by the gambling game operator for each day on which the gambling machine remains installed in the territory of the relevant municipality in the amount of EUR 4.11 based on a report of the number of gambling machines and the number of days during which the gambling machines were permitted to remain installed in the territory of the relevant municipality; the report shall be submitted to the municipality, in the territory of which the gambling machines were permitted to be installed throughout the calendar year, on 30 April and 31 December and the statement shall be submitted, and levy paid, to that municipality by the same deadlines. If the operator of a gambling game operated by means of gambling machines relocates the gambling machine in the course of the calendar year to the territory of other municipality, the levy for the number of days when the gambling machine is being relocated and not operated shall be paid to the municipality from the territory of which the gambling machine is being relocated; the operator shall start paying the levy to the municipality to the territory of which the gambling machine is relocated as of the date when the decision concerning individual licence amendment permitting such relocation becomes valid in law. If the operator of a gambling game operated by means of gambling machines starts operating such machine for the first time in the course of a calendar year, the levy for the number of days from the beginning of the calendar year shall be paid to the municipality in the territory of which such machine has been installed for the first time during that calendar year.

(3) The levy on the operation of a gambling game operated by means of video lottery terminals referred to in Article 71(1)(o) shall be paid by the gambling game operator for each day on which the video lottery terminal remains installed in the territory of the relevant municipality in the amount of EUR 2.20 based on a report of the number of video lottery terminals and the number of days during which the video lottery terminals were permitted to remain installed in the territory of the relevant municipality; the report shall be submitted to the municipality, in the territory of which the video lottery terminals were permitted to be installed throughout the calendar year, on 30 April and 31 December and the statement shall be submitted, and levy paid, to that municipality by the same deadlines. If the operator of a gambling game operated by means of video lottery terminals relocates the video lottery terminal in the course of the calendar year to the territory of other municipality, the levy for the number of days when the video lottery terminal is being relocated and not operated shall be paid to the municipality from the territory of which the video lottery terminal is being relocated; the operator shall start paying the levy to the municipality to the territory of which the video lottery terminal is relocated as of the date when the decision concerning individual licence amendment permitting such relocation becomes valid in law. If the operator of a gambling game operated by means of video lottery terminals starts operating such terminal for the first time in the course of a calendar year, the levy for the number of days from the beginning of the calendar year shall be paid to the municipality in the territory of which such terminal has been installed for the first time during that calendar year.

(4) The levy on the operation of a gambling game operated by means of technical equipment operated directly by gamblers referred to in Article 71(1)(n) shall be paid by the operator of a gambling game operated by means of technical equipment operated directly by gamblers for each day on which such technical equipment remains installed in the territory of the relevant municipality in the amount of EUR 2.74 based on a report of the number of technical equipment operated directly by gamblers and the number of days during which the technical equipment operated directly by gamblers was permitted to remain installed in the territory of the relevant municipality; the report shall be submitted to the municipality, in the territory of which the technical equipment operated directly by gamblers was permitted to be installed throughout the calendar year, on 30 April and 31 December and the statement shall be submitted, and levy paid, to that municipality by the same deadlines. If the operator of a gambling game operated by means of technical equipment operated directly by gamblers relocates such equipment in the course of the calendar year to the territory of other municipality, the levy for the number of days when the technical equipment operated directly by gamblers is being relocated and not operated shall be paid to the municipality from the territory of which the technical equipment operated directly by gamblers is being relocated; the operator shall start paying the levy to the municipality to the territory of which the such equipment is relocated as of the date when the decision concerning individual licence amendment permitting such relocation becomes valid in law. If the operator of a gambling game operated by means of technical equipment operated directly by gamblers starts operating such equipment for the first time in the course of a calendar year, the levy for the number of days from the beginning of the year shall be paid to the

municipality in the territory of which such equipment operated directly by gamblers has been installed for the first time during that calendar year.

(5) The levy on the operation of a gambling game operated by means of other technical equipment referred to in Article 71(1)(q) shall be paid by the gambling game operator for each day on which the other technical equipment remains installed in the territory of the relevant municipality in the amount of EUR 2.20 based on a report of the number of other technical equipment and the number of days during which the other technical equipment was permitted to remain installed in the territory of the relevant municipality; the report shall be submitted to the municipality, in the territory of which the other technical equipment were permitted to be installed throughout the calendar year, on 30 April and 31 December and the statement shall be submitted, and levy paid, to that municipality by the same deadlines. If the operator of a gambling game operated by means of other technical equipment relocates such equipment in the course of the calendar year to the territory of other municipality, the levy for the number of days when the other technical equipment operated is being relocated and not operated shall be paid to the municipality from the territory of which the other technical equipment is being relocated; the operator shall start paying the levy to the municipality to the territory of which the such equipment is relocated as of the date when the decision concerning individual licence amendment permitting such relocation becomes valid in law. If the operator of a gambling game operated by means of other technical equipment starts operating such equipment for the first time in the course of a calendar year, the levy for the number of days from the beginning of the calendar year shall be paid to the municipality in the territory of which such equipment has been installed for the first time during that calendar year.

PART NINE

FINANCIAL REPORTING AND NOTIFICATION DUTY

Article 74

(1) All accounting operations carried out by the gambling game operator in connection with the operation of gambling games must be kept separately from other accounting operations of the gambling game operator. If the gambling game operator operates several gambling games, they must keep separate analytical records for each of them.

(2) The gambling game operator shall be obliged to save the annual financial statement for the previous accounting period in the register of financial statements on an annual basis no later than on 31 May.

(3) The operator of a numerical lottery, the operator of a bet game, the operator of an on-line game, the operator of bingo including special bingo, and the operator of a board game is obliged to keep daily records with regard to the stakes received and winnings paid out. The Authority may also permit daily statement of gambling games in a casino using the monitoring equipment.

(4) The operator of a gambling game operated by means of gambling machines, the operator of a gambling game operated by means of technical equipment operated directly by gamblers, the operator of a gambling game operated by means of video lottery terminals, and the operator of a gambling game operated by means of other technical equipment shall keep daily records of the stakes received and winnings paid out separately for each gambling machine, each technical equipment operated directly by gamblers, each video lottery terminal, and each other technical equipment.

(5) The operator of a charity lottery, the operator of an instant lottery, the operator of a pecuniary draw lottery, and the operator of a pecuniary-and-in-kind draw lottery is obliged to keep records on a monthly basis with regard to the stakes received and winnings paid out.

(6) The operator of an off-casino card game is obliged to keep daily records of the stakes, winnings and fees

for participation in the gambling game separately for individual establishments operating off-casino card games.

(7) The information concerning the stakes received and winnings paid out for each calendar day shall be submitted by the operator of a gambling game referred to in paragraph 3 and 4 to the Authority on a daily basis and report the same in the statement of levies as provided in Article 70(2).

(8) The information concerning the stakes received and winnings paid out for each relevant calendar month shall be submitted by the operator of a gambling game referred to in paragraph 5 and 6 to the Authority no later than on the 25th day after the end of the calendar month and report the same in the statement of levies as provided in Article 70(2).

(9) The obligation to keep records and submit information shall be imposed upon the operator of a gambling game referred to in Article 4(2)(i) in a decision granting individual licence.

(10) The operator of a gambling game operated by means of gambling machines, the operator of a gambling game operated by means of technical equipment operated directly by gamblers, the operator of a gambling game operated by means of video lottery terminals, and the operator of a gambling game operated by means of other technical equipment shall be obliged to notify the Authority of the commissioning of individual gambling machine, technical equipment operated directly by gamblers, video lottery terminal and other technical equipment prior to the commissioning thereof along with the reading on the mechanical and electronic counter or electronic counter and non-resettable digital counter with a memory module.

(11) The operator of a gambling game referred to in paragraph 10 is obliged to notify the Authority of replacement of the electronic counter, mechanical counter, or non-resettable digital counter with a memory module along with the reading on the counter being replaced. The operator of a gambling game referred to in paragraph 10 is obliged to notify the Authority of discontinuation of operation of such equipment along with the readings on all counters no later than in five days from replacement of the counter or discontinuation of operation.

(12) The operator of rate bets is obliged to notify the Authority of the start date of a betting shop operation prior to such start date. The operator of rate bets shall notify the Authority of discontinuation of a betting shop operation in five days from such discontinuation.

(13) The supervised entities pursuant to Article 80(k) are obliged to notify the Authority of all data necessary for conducting the supervision pursuant to Article 77(9)(h).

(14) The form, structure, method and deadline for submission of data referred to in paragraphs 7, 8, and 10 through 13 shall be laid down by a generally binding legal regulation to be issued by the Ministry of Finance.

PART TEN

REGULATION OF GAMBLING GAMES

TITLE ONE

POWERS OF GOVERNMENT AUTHORITIES AND MUNICIPALITIES IN THE AREA OF GAMBLING GAMES

Article 75

The government authorities in the area of gambling games include:

- a) the Ministry of Finance;
- b) the Authority;

Article 76

Ministry of Finance

The Ministry of Finance as the central body of public government with regard to the issues relating to gambling games

- a) prepares draft laws and other generally binding legal regulations in that area;
- b) cooperates with other state bodies, bodies of the European Union, bodies of other countries and with international organisations in that area.

Article 77

The Authority

(1) The Authority is a state-funded organisation connected, through its revenues and expenditures, to the state budget by way of the budget category of the Ministry of Finance with the powers covering the entire territory of the Slovak Republic. The Authority is seated in Bratislava; the bodies of the Authority include the General Manager and the Board of the Authority. The Authority may set up offices based on a consent of Minister of Finance of the Slovak Republic (hereinafter the "Minister of Finance").

(2) The Authority is managed by the General Manager appointed and removed by the Minister of Finance; the General Manager is also held accountable for the work of the Authority. The General Manager represents the Authority externally. The term of office of the General Manager is six years; however, General Manager may not be elected for more than two consecutive terms of office. The General Manager may not be a member of statutory bodies, supervisory bodies or control bodies of a gambling game operator, or an authorised signatory of the gambling game operator. Neither an employee of the gambling game operator or the natural person responsible for the operation of gambling game may be elected the General Manager.

(3) Legal standing of the General Manager is regulated by a special regulation⁴⁵⁾.

(4) The office of the General Manager of the Authority shall become extinct

- a) upon expiry of the term of office, unless paragraph 6 provides otherwise;
- b) upon his or her resignation, unless paragraph 6 provides otherwise;
- c) upon removal;
- d) upon death or when he or she is declared dead.

(5) The General Manager may resign from his or her office by a written notification given to the Minister of Finance.

(6) The General Manager shall continue to hold the office after expiry of the term of office or resignation until a new General Manager is appointed. The office of the General Manager shall become extinct as of the date of appointment of the new General Manager. Upon extinction of the office of the General Manager, also the relevant term of office shall expire.

(7) The Minister of Finance shall remove the General Manager of the Authority from the office if

- a) he or she lacks full legal capacity;
- b) he or she has been lawfully sentenced due to wilful crime or due to crime of negligence relating to his or her office;
- c) he or she is in breach of this Act or other related generally binding legal regulations.

(8) The Minister of Finance may remove the General Manager of the Authority from the office if

- a) he or she has lost the ability to carry out the office due to health issues for a period not shorter than six

months;

- b) he or she has violated, in a serious manner, or fails to perform the duties of the General Manager on a long-term basis.

(9) The Authority

- a) issues the general licence and makes decisions on granting or removal of the individual licence pursuant to this Act; when the decision granting individual licence becomes valid in law, the Authority shall forthwith send such decision to the municipality, in the territory of which the operation of gambling games has been permitted by the decision;
- b) makes decisions on issuing the authorisation for technical assessment, specifying its scope;
- c) exercises control according to a special regulation⁴⁶⁾ regarding observance of this Act and other related generally binding legal regulations by authorised testing laboratories according to Article 87(1) and (2), and by municipalities;
- d) issues methodological guidelines in the area of gambling games;
- e) conducts supervision over compliance with the provisions of this Act, other related generally binding legal regulations, conditions of operation of gambling games laid down in this Act and established in the individual licence or general licence, and the obligations included in the approved game plan including the rules of the gambling game which apply to the supervised entities referred to in Article 80(a) through (c) or to their activities, by way of on-site supervision, remote supervision, and investigation;
- f) conducts supervision over compliance with the provisions of this Act and other related generally binding legal regulations which apply to supervised entities referred to in Article 80(d) through (j) or to their activities by way of on-site supervision, remote supervision, and investigation;
- g) conducts supervision over the provision of prohibited offers;
- h) conducts supervision over compliance with the obligations referred to in Article 85(8) and special regulations⁴⁷⁾ which are related to the provision of prohibited offers and which apply to supervised entities referred to in Article 80(k) by way of on-site supervision and remote supervision;
- i) carries out management of the levies to the state budget;
- j) cooperates with the Financial Directorate of the Slovak Republic in the area of gambling games;
- k) imposes sanctions in accordance with this Act;
- l) carries out the activities of an operator of the information system in the area of operation of gambling games;
- m) keeps central register of operators of gambling games and the central register of gambling house location;
- n) is the administrator of the register of excluded persons;
- o) provides the Ministry of Finance with the data from the information system in the area of gambling games operation for the purpose laid down in a special regulation⁴⁸⁾ to the extent and in a manner to be defined in writing by the Ministry of Finance;
- p) issues authorisations for the conduct of supervision for the employees of the authorised testing laboratory (hereinafter the "invited person"), if the supervision includes technical inspection and assessment of technical equipment in accordance with Article 86(6);
- q) may, at the proposal made by a sport club of the relevant sport and by the national sport club of the relevant sports organisation, impose restriction on the receipt of stakes for the contest in the relevant sport, which it considers to be inappropriate without restrictions relating to the territory in which the contest takes place; such information shall be published on its web site;
- r) publishes on its web site the information about passing, amending or revoking a generally binding regulation passed by a municipality in accordance with Article 79(3), (4) and (6); the information about passing a

generally binding regulation pursuant to Article 79(7) shall be published on 10 November at the latest;

- s) may provide a financial amount for the operation of a help line of a specialised healthcare institution operating in the area of prevention, diagnostics and treatment of substance and non-substance addiction;
- t) makes decisions concerning incorporation in the list of representative offices, erasures from the list of representative offices, and incorporates changes of the data incorporated in the list of representative offices.

(10) The Board of the Authority decides appeals against decisions made by the Authority within first-instance proceedings, protests made by a prosecutor, and reviews decisions outside the appeal proceeding made by the Authority.

(11) The Board of the Authority shall have five members who are appointed and removed by the Minister of Finance, and chooses a chairman of the Board of the Authority from among those members. The membership in the Board of the Authority is a public function and is non-assignable.

(12) The function of a member of the Board of the Authority is incompatible with

- a) employment at the Authority;
- b) employment at the supervised entity;
- c) business in the area of gambling game in the member's own name or in the name of another person;
- d) ownership interest in the business of the supervised entity pursuant to Article 80(a);
- e) membership or other function in a management, supervisory or control body of the supervised entity.

(13) If, at the time of appointment of the member of the Board of the Authority, the member of the Board of the Authority holds or carries out, respectively employment, activity or function which is incompatible with the function of a member of the Board of the Authority, such member shall forthwith and in a provable manner make a legal act leading to the termination of each such employment, activity or function, and shall forthwith abandon each such employment, activity or function. Restrictions referred to in points (b) through (e) of paragraph 12 shall be adhered to by the member of the Board of the Authority 12 months after extinction of the membership in the Board of the Authority. Restrictions referred to in paragraph 12 also apply to a close person of the member of the Board of the Authority. Restrictions referred to in points (b) through (e) of paragraph 12 and restrictions referred to in the first and second sentence also apply to a close person of the member of the Board of the Authority.

(14) A member of the Board of the Authority may be a natural person who meets the following requirements:

- a) he or she is a citizen of the Slovak Republic;
- b) he or she has completed the graduate level of university education while at least two members of the Board of the Authority must have the graduate level of university education in law;
- c) he or she has full legal capacity; and
- d) he or she possesses integrity.

(15) A person possessing integrity is a natural person who has not been lawfully sentenced due to a crime. In order to prove integrity, the natural person shall provide the data necessary for the application for the extract from the Criminal Record and the consent to the processing thereof.

(16) The membership in the Board of the Authority shall become extinct

- a) upon expiry of the term of office;
- b) upon resignation;
- c) upon removal;

d) upon death or when he or she is declared dead.

(17) The membership in the Board of the Authority shall become extinct upon delivery of a written notification of the member of the Board of the Authority of resignation from the Board of the Authority to Minister of Finance, unless such notification states a later date.

(18) The Minister of Finance shall remove a member of the Board of the Authority if

- a) he or she was sentenced due to a criminal act by a lawful judgement of a court;
- b) he or she was deprived of legal capacity in full extent by a lawful judgement of a court;
- c) he or she ceased to meet any requirement referred to in paragraph 12 or 13;
- d) he or she fails to attend more than three consecutive meetings of the Board of the Authority; the Minister of Finance is not obliged to remove the member of the Board of the Authority if the member of the Board of the Authority was temporarily found incapable of work due to illness or injury;
- e) he or she carries out his or her function contrary to this Act.

(19) The term of office of a member of the Board of the Authority takes is for five years. If the function of the member of the Board of the Authority is terminated before expiry of his or her term of office, the new member of the Board of the Authority may only be appointed for the rest of the term of office of the incumbent member of the Board of the Authority.

(20) A meeting of the Board of the Authority shall be convened and chaired by the chairman of the Board of the Authority. In his or her absence, he or she shall be substituted for by the member of the Board of the Authority appointed by him or her. Meetings of the Board of the Authority are closed to the public.

(21) The Board of the Authority adopts resolutions by voting. A resolution of the Board of the Authority requires the consent of an absolute majority of all its members to pass.

(22) A member of the Board of the Authority carries out his or her duties independently of the instructions of state bodies, local government bodies, other public bodies or of the instructions of other persons.

(23) A member of the Board of the Authority is entitled to receive remuneration for individual meetings of the Board of the Authority up to one half of the average nominal monthly salary of an employee in the national economy of the Slovak Republic for the previous calendar year, rounded up to whole Euro.

(24) Details concerning organisation of the work of the Board of the Authority, its meetings, and the details concerning remuneration of the member of the Board of the Authority shall be laid down in the by-laws of the Board of the Authority to be approved by the Minister of Finance based on proposal of the Board of the Authority.

Article 78

Financing of the Authority

(1) The Authority is also funded from the monthly contribution and special contribution of the gambling game operator.

(2) The special contribution must be paid by the gambling game operator which operates any of the gambling games referred to in Article 5(3)(a), (b) and (e) in a manner laid down in paragraph 5.

(3) The monthly contribution must be paid by the gambling game operator which operates a gambling game other than the gambling game referred to in paragraph 2, except the cash receipt lottery, in a manner laid down in paragraph 6.

(4) The special contribution rate amounts to 0.7% of the game principal for the entire duration of lots sale;

the monthly contribution rate totals 0.7% of the yield, fee and commission.

(5) The special contribution shall be paid on a one-time basis in 15 days from confirmation of the levy statement accuracy in accordance with Article 72(1).

(6) The monthly contribution shall be paid on a monthly basis on or before the 25th day after the end of a calendar month based on a monthly statement of the contribution submitted in the same time limit to the Authority, unless otherwise provided in Article 99(33).

(7) The statement of the monthly contribution shall be filed by the gambling game operator by means of electronic communication in the time limits set in paragraph 6. The statement of the monthly contribution serves as the basis for application of the obligation to pay monthly contributions and late payment interest, and to compile a statement of arrears. The template of the monthly contribution statement shall be laid down in a generally binding legal regulation to be issued by the Ministry of Finance. If the Authority finds out based on the outcome of the supervision that the statement of the monthly contribution has not been filed in a time limit set in paragraph 6 or it contains inaccurate data, the Authority shall call upon the gambling game operator in ten days to file the statement or corrective statement in the specified time limit.

Article 79

Municipality

(1) The municipality conducts administration of the levy paid to the municipal budget.

(2) The municipality imposes sanctions pursuant to Article 94(1) or Article 96 (3).

(3) The municipality may, under the conditions pursuant to paragraph 5, lay down through a generally binding regulation that no gambling house can be placed in its territory in the buildings referred to in Article 15(7)(a), (b), (c) or (d) or in a combination of buildings structured according to Article 15(7)(a), (b), (c) or (d), or in all buildings referred to in Article 15(7); this generally binding regulation must be in force in the entire territory of the municipality. This generally binding regulation shall not apply to a gambling game operator that has been granted an individual licence for gambling game operation before the effective date of the generally binding regulation; if the municipality passed a generally binding regulation pursuant to the first sentence, the gambling game operator shall not have the option referred to in Article 39(6) anymore in relation to the gambling game operation in the territory of the municipality which passed such generally binding regulation.

(4) The municipality may, under the conditions pursuant to paragraph 5, lay down through a generally binding regulation that no casino can be placed in its territory in the buildings referred to in Article 16(5)(a), (b) or (c) or in a combination of buildings structured according to Article 16(5)(a), (b) or (c), or in all buildings referred to in Article 16(5); this generally binding regulation must be in force in the entire territory of the municipality. This generally binding regulation shall not apply to a gambling game operator that has been granted an individual licence for gambling game operation before the effective date of the generally binding regulation; if the municipality passed a generally binding regulation pursuant to the first sentence, the gambling game operator shall not have the option referred to in Article 39(6) anymore in relation to the gambling game operation in the territory of the municipality which passed such generally binding regulation.

(5) The municipality may issue a generally binding regulation referred to in paragraph 3 or 4 if the inhabitants of the municipality complain in a petition that the public order in the municipality is disturbed in connection with playing gambling games. Such petition must be supported by at least 30 % of municipality's inhabitants who are eligible voters in the elections of the bodies of the municipal government. A special regulation on the capital of the Slovak Republic Bratislava⁴⁹⁾ and a special regulation on the city of Košice⁵⁰⁾ may lay down a lower number of eligible voters in municipal elections; however, that number must not be lower than 15 %; this shall not apply if the powers in the area of gambling games are not transferred to boroughs by

the city's statute.

(6) The application of the condition laid down in paragraph 15(5) may be laid down by the municipality in a generally binding regulation. This generally binding regulation shall not apply to a gambling game operator that has been granted an individual licence for gambling game operation before the effective date of the generally binding regulation; if the municipality passed a generally binding regulation pursuant to the first sentence, the gambling game operator shall not have the option referred to in Article 39(6) anymore in relation to the gambling game operation in the territory of the municipality which passed such generally binding regulation.

(7) The municipality may lay down, by way of a generally binding regulation, the dates on which playing gambling games referred to in Article 4(2)(c) and (e) through (h) and Article 5(12, except the on-line games referred to in Article 12, would be forbidden; however the number of such days shall not be more than 12 in a calendar year. If the municipality passes such generally binding regulation, the resolution thereon must be made on or before 31 October and the generally binding regulation shall apply in the following calendar year.

(8) Posting the drafts of generally binding regulation referred to in paragraphs 3, 4, 6 or 7 on the notice board shall be advised to the Authority in five days from posting thereof, and passing such generally binding regulation shall be notified by the municipality to the Authority in five days from its passing stating the effective date thereof. The municipality is obliged to inform the Authority in five days of an amendment or revocation of the generally binding regulation.

(9) The generally binding regulations referred to in paragraphs 3, 4 and 6, and the amendments thereto or revocations thereof, which have not been advised to the Authority in the time limit referred to in paragraph 8 shall not be taken into consideration in the individual licence granting process.

(10) The generally binding regulations referred to in paragraph 7 which have not been advised to the Authority in the time limit referred to in paragraph 8 and which have not been published by the Authority in the time limit referred to in Article 77(9)(r) shall not be taken into consideration during operation of gambling games referred to in paragraph 7.

TITLE TWO

SUPERVISION

Article 80

Entities under Supervision

The entities under supervision according to this Act include:

- a) the gambling game operators;
- b) persons who take part in the operation of gambling games or on the basis of a contractual or similar relation perform activities required to carry out the gambling games and which howsoever assist in the operation of gambling game;
- c) the natural persons that on the basis of an employment relationship, similar legal relation or other contractual relation with the operator of a gambling game perform activities during operation of gambling games;
- d) the persons which operate gambling games without licence and persons which take part in the operation of such games;
- e) the persons that promote gambling games;
- f) the persons which perform activities related to promotion of gambling games or howsoever assist in the promotion of gambling games based on a contractual relation or a similar relation;
- g) persons that provide a prohibited offer;

- h) persons which use the identification "casino" or "gambling house" or any derived word forms, including in a language other than the official language, without an individual licence;
- i) persons that organise sporting events pursuant to Article 4(5)(a), except for sports organisations registered in the sports information system;
- j) persons which operate or promote contests, games or quizzes pursuant to Article 4(5) (b) through (f) and paragraphs 5 and 6;
- k) other entities within the scope of their duties pursuant to Article 85(8) and special regulations⁴⁷⁾ which are related to the provision of prohibited offers.

Article 81

General Principles of Supervision

(1) Supervision is performed over the entities under supervision. In performing supervision over the entities under supervision, the Authority collects and evaluates information and background documents on the facts concerning the entity under supervision and its activities in gambling game operation or gambling game promotion or other persons whose position, transactions or other activity are related to the entity under supervision, in particular on shortcomings in the activity of the entities under supervision, causes of the shortcomings found, consequences of the shortcomings found, and persons responsible for the shortcomings found.

Supervision is conducted pursuant to this Act.

(2) Supervision over the entities under supervision is non-public.

(3) In performing supervision, the Authorities and the persons in charge of supervision and the invited person hold authorisations pursuant to this Act. The Authority shall be responsible for conduct of the supervision. The persons authorised to conduct supervision and the invited person are not responsible to third persons for the consequence of supervision; this shall not affect their labour-law responsibility to the Authority and to the authorised testing laboratory, or their criminal responsibility.

(4) The entity under supervision, members of its bodies, its employees and other persons, whose activity is related to the entity under supervision, shall be obliged to allow the conduct of supervision, to refrain from any activity that could obstruct the supervision, and to provide in the official language any information, documentation, cooperation and assistance requested by the Authority or persons in charge of supervision for the purpose of supervision; if the documentation is in a language other than the official language, the entity under supervision shall be obliged to submit, at their own expense, the officially certified translation of the documentation into the official language.

(5) On-site supervision means collection of information and background documents on the facts concerning the entity under supervision and its activities or other persons whose position, transactions or other activity are related to the entity under supervision, generally directly in the registered office, establishment or other premises of the entity under supervision or from its employees, as well as evaluation of so collected information and background documents; the information and background documents collected can also be used for the purpose of proceedings in the area of gambling games conducted by municipalities. On-site supervision does not mean collection and evaluation of information and background documents on site in a proceeding conducted pursuant to Article 97(1).

(6) Remote supervision means collection and evaluation of information and background documents concerning the entity under supervision and its activities or other persons whose position, transactions or other activity are related to the entity under supervision in a manner other than through on-site supervision, in particular by collection and evaluation of information and background documents submitted to the Authority based on their written request, on the basis of information made accessible or submitted to the Authority

pursuant to this Act and on the basis of publicly available information; the information and background documents collected can also be used for the purpose of proceedings in the area of gambling games conducted by municipalities. Remote supervision does not mean collection and evaluation of information and background documents remotely in a proceeding conducted pursuant to Article 97(1). The person authorised to conduct supervision shall draw up minutes of the remote supervision conducted, Article 83(9) shall apply *mutatis mutandis*.

(7) During conduct of remote supervision over operation of gambling games referred to in Article 4(2)(b) through (h), lottery games referred to in Article 5(3)(c) and (d) and on-line games referred to in Article 30, except the off-casino card games, the Authority makes use of the access by way of electronic communication network to the server of the gambling game operator.

(8) Investigation means collection and evaluation of information and background documents on the facts concerning the entity under supervision and its activities or other persons whose position, transactions or other activity are related to the entity under supervision, in a way other than through on-site supervision and remote supervision, in particular by collection and evaluation of information and background documents through on-site investigation conducted by the persons authorised to conduct supervision even with concealed identity; the information and background documents so collected may also be used for the purpose of proceedings in the area of gambling games conducted by municipalities. During conduct of investigation, the following actions can be taken:

- a) seize documents, technical equipment, other equipment or systems used to operate gambling games in the event of suspicion that the gambling games are operated contrary to this Act and take the same away to collect evidence and take other actions related to the supervision, for a period necessary for the conduct of supervision in due manner;
- b) seal documents, technical equipment, other equipment or systems used to operate gambling games in the event of suspicion that the gambling games are operated contrary to this Act, for a period necessary for the conduct of supervision in due manner, if said equipment or systems cannot be seized;
- c) close a casino, gambling house, establishment or other premises in which gambling games are operated in the event of suspicion that the gambling games are operated contrary to this Act, for a period necessary for the conduct of supervision in due manner, if said equipment or systems cannot be seized or sealed.

(9) Investigation does not mean collection and evaluation of information and background documents by on-site investigation in a proceeding conducted pursuant to Article 97(1). The person authorised to conduct supervision shall draw up minutes of the investigation conducted, Article 83(9) shall apply *mutatis mutandis*.

(10) The costs connected with the on-site supervision, remote supervision and investigation incurred by the Authority shall be borne by the Authority, and the costs incurred by the entity under supervision shall be borne by the entity under supervision.

(11) The Police, the Criminal Office of the Financial Administration, or the Customs Office provides persons in charge of supervision with protection pursuant to special regulations⁵¹⁾ during conduct of the supervision.

Article 82

Confidentiality

(1) The persons in charge of supervision and the invited persons shall be obliged to keep confidential the facts they become aware of during the performance of their activity. This duty shall also survive the termination of their employment, similar labour relationship or conduct of supervision.

(2) The provision of paragraph 1 shall not affect the provisions of a special regulation⁵²⁾.

(3) The General Manager of the Authority may relieve the persons pursuant to paragraph 1 from the duty of confidentiality.

(4) Violation of confidentiality shall not include the notification or disclosure of the subject of confidentiality

- a) to other person authorised to conduct supervision for the purposes of supervision;
- b) to the administrator of the levy being the municipality for the purposes of the levy administration;
- c) to the authorities competent pursuant to this Act to make decisions on legal remedies for the purpose of decision-making on legal remedies;
- d) to the Ministry of Finance for the purpose of performance of tasks pursuant to this Act or special regulations⁵³⁾;
- e) to law enforcement authorities, service of criminal police and service of financial police of the Police Force based on special regulations;
- f) to the bodies entitled to control the activity of municipalities, the Authority and the Ministry of Finance or its superior body or appeal body pursuant to a special regulation⁵⁴⁾ for the purpose of control and in connection with the application of their powers;
- g) to courts for the purposes of legal proceedings;
- h) to a legal person established by the Ministry of Finance for information processing by means of computer technology;
- i) to the Ministry of Agriculture and Rural Development of the Slovak Republic for the purpose of notification of supervision results for the operators of race bets;
- j) to a representative authorised to represent the Authority in the proceedings before courts;
- k) to the authorised testing laboratory if it performs a technical inspection or assessment of equipment at the request of the Authority or bodies mentioned in point (e);
- l) to the National Security Authority, the Slovak Information Service, the Military Intelligence and the Police Force for the purposes of performing security screening;
- m) to the Military Intelligence to meet the duties pursuant to a special regulation.

(5) Violation of confidentiality shall not include the notification or disclosure of the subject of confidentiality with the written consent of the entity under supervision concerned by the subject of confidentiality.

(6) Neither the reporting of crime or other antisocial activity⁵⁵⁾ shall constitute violation of confidentiality.

Article 83

On-Site Supervision Procedure

(1) On-site supervision can be performed by the person authorised to conduct supervision holding a service card authorising him or her to conduct supervision; if the supervision includes technical inspection, the invited person must hold a written authorisation for on-site supervision issued by the Authority.

(2) The person authorised to conduct supervision and the invited person are excluded from on-site supervision if in consideration of their relation to the subject of supervision, entity under supervision or their employees, doubts may arise about their impartiality.

(3) On-site supervision begins on the day when the person authorised to conduct supervision proves their identity to the entity under supervision showing the service card authorising him or her to conduct supervision. From the beginning of the on-site supervision, the Authority, the person authorised to conduct supervision and

the invited person are entitled to request from the entity under supervision and their employees the cooperation and fulfilment of duties for the purpose of on-site supervision including the submission of documents, background documents, information on technical carriers and other information, papers and things, as well as their delivery within a time limit specified by the person authorised to conduct supervision.

(4) In the course of on-site supervision, the person authorised to conduct supervision is authorised

- a) to enter the registered office or other premises of the entity under supervision, gambling houses, lands and other structures or premises which are related to the operation of gambling games or promotion of gambling games to the extent necessary to conduct supervision;
- b) to invite an invited person, if the supervision includes technical inspection; the invited person shall be obliged to take part in the inspection and the costs connected with their participation in the technical inspection shall be borne by the authorised testing laboratory, and if shortcomings are identified by the technical inspection, the costs shall be borne by the gambling game operator;
- c) to request from the entity under supervision and its employees the provision, within a time limit specified by the person authorised to conduct supervision
 - 1. originals of documents, other papers, statements and information including the technical carriers of data necessary to conduct supervision;
 - 2. explanations, statements and other verbal and written information regarding the subject of supervision and the shortcomings found;
- d) seize documents, technical equipment, other equipment or systems used to operate gambling games in the event of suspicion that the gambling games are operated contrary to this Act and take the same away to collect evidence and take other actions related to the supervision, for a period necessary for the conduct of supervision in due manner;
- e) seal documents, technical equipment, other equipment or systems used to operate gambling games in the event of suspicion that the gambling games are operated contrary to this Act, for a period necessary for the conduct of supervision in due manner, if said equipment or systems cannot be seized;
- f) close a casino, gambling house, establishment or other premises in which gambling games are operated in the event of suspicion that the gambling games are operated contrary to this Act, for a period necessary for the conduct of supervision in due manner, if said equipment or systems cannot be seized or sealed.

(5) In the course of on-site supervision, the person authorised to conduct supervision is obliged

- a) to prove their identity to the entity under supervision at the beginning of the supervision showing the service card authorising him or her to conduct supervision; if the supervision includes technical inspection, the invited person must prove their identity to the entity under supervision showing written authorisation for supervision pursuant to paragraph 1;
- b) to issue to the entity under supervision a written confirmation of seizure of original documents, other papers, statements, information including technical carriers of data, equipment and systems, and to provide for their proper protection against loss, destruction, damage and abuse; if these papers or things are not necessary for further conduct of supervision over the entity under supervision, they shall be obliged to return them to the person from whom they were seized and to issue a written confirmation of returning the same;
- c) to work out a written report on the result of the on-site supervision (hereinafter the "report"), to deliver one copy of the report to the entity under supervision, to specify an adequate time limit, at least three business days, for the entity under supervision to submit written objections to the data included in the report, to verify immediately the righteousness of the written objections submitted by the entity under supervision, and to deliver to the entity under supervision a written notice of the result of review of the submitted written objections;
- d) to specify and notify in writing, if applicable, the entity under supervision of the time limits within which the entity under supervision shall be obliged to adopt and take measures for the elimination and rectification

of the shortcomings found out during the on-site supervision and the causes of their occurrence, and to submit to the Authority a written report on the measures adopted and taken; the Authority can specify or change the time limits pursuant to this provision for objective reasons also after the completion of the on-site supervision;

- e) to respect the rights of the entity under supervision;
- f) to ensure the protection of information and background documents obtained during on-site supervision in order to avoid unauthorised disclosure of classified information, trade secret, tax secret and other information concealed or protected by the duty of confidentiality expressly imposed or acknowledged pursuant to special regulations⁵⁶⁾; the provision of such information and background documents for the exercise of the powers of the Authority or municipalities in the area of gambling games pursuant to this Act, if it is necessary for their exercise, shall not represent a violation of this duty;
- g) to perform other duties laid down under this Act.

(6) The entity under supervision and its employees shall be entitled

- a) to attend, personally or through an attorney, the on-site supervision;
- b) to provide their written opinion on the shortcomings found out during conduct of the on-site supervision, which were notified to them during the conduct of the on-site supervision by the persons in charge of supervision;
- c) to submit, within the specified time limit, written objections to the data included in the report.

(7) The entity under supervision shall be obliged

- a) to create suitable material and technical conditions for the performance of the on-site supervision;
- b) to adopt and take the adopted measures for the elimination and rectification of the shortcomings found and the causes of their occurrence without undue delay, however, no later than within the time limit pursuant to paragraph 5(d);
- c) to forthwith submit to the supervisory body a written report on the fulfilment of the measures adopted for the elimination and rectification of the shortcomings found and the causes of their occurrence.

(8) The entity under supervision, members of its bodies, its employees and other persons, whose activities are related to the entity under supervision, shall also be obliged during the conduct of the on-site supervision to

- a) allow the execution of the authorisations held during the performance of the on-site supervision by the Authority, persons in charge of supervision, and the invited person;
- b) to provide the persons in charge of supervision and the invited person with the cooperation requested by them for the purpose of on-site supervision, in particular the documents, other papers, verbal and written information, and verbal and written statements on the subject of supervision and on the shortcomings found;
- c) to take part, at the request of the persons in charge of supervision, in the negotiation of the report and written objections of the entity under supervision to the data provided in the report; the refusal to take part in the negotiations of the report and the submitted reasons for such refusal to participate shall be recorded in the report;
- d) to perform other duties laid down under this Act.

(9) The report shall contain

- a) the name and registered office of the Authority, the name and surname of the persons authorised to conduct supervision who conducted the on-site supervision, and the name and surname of the invited person, if the supervision included technical inspection;
- b) the name or trade name and the registered office of the entity under supervision, for a legal person, or the

- name, surname and address of the entity under supervision, for a natural person;
- c) the place, date of commencement and period of duration of the on-site supervision;
 - d) the subject of the performed on-site supervision and the supervised period, if applicable;
 - e) the description of the state of facts and shortcomings found during the supervision conducted, including the provision of written background documents and other facts proving such findings, and the legal regulations, whose violation was found out, including the shortcomings found the on-site supervision in excess of the scope of the subject of supervision;
 - f) the time limit specified for the entity under supervision to submit written objections to the data provided in the report;
 - g) the names, surnames and signatures of the persons who conducted the on-site supervision;
 - h) the name and surname of the natural person, if a natural person is the entity under supervision; if a legal person is the entity under supervision, the name and surname of its statutory representative or authorised deputy to such statutory representative shall be provided;
 - i) the place and date of report preparation.

(10) The report shall include the document on the delivery of the report to the entity under supervision, as well as possible written objections of the entity under supervision to the data included in the report, a copy of the written notice to the entity under supervision on the result of the review of the submitted written objections of the entity under supervision, and the document on the delivery of the notice to the entity under supervision.

(11) The on-site supervision shall be completed by delivering the written notice to the entity under supervision on the result of review of their written objections to the data mentioned in the report, if the entity under supervision submitted such objections; otherwise the performance of the on-site supervision shall be finished after the expiry of the time limit specified for the entity under supervision for the submission of written objections to the data included in the report, without the submission of any objections.

(12) The shortcomings in the activity of the entity under supervision mentioned in the report shall be considered identified from the date of completion of the on-site supervision.

(13) The Authority shall keep the report for five years after the completion of the on-site supervision.

Article 84

Procedure during Investigation with Concealed Identity

(1) If supervision is performed in the form of investigation with concealed identity, the Authority shall issue a written authorisation for conducting the supervision with concealed identity containing the service card number of the person in charge supervision with concealed identity that was issued by the Authority.

(2) The supervision in the form of investigation with concealed identity shall begin at the moment when the person authorised to conduct supervision with concealed identity carries out the first act towards the entity under supervision, and last until the moment when the person authorised to conduct supervision with concealed identity proves their identity by written authorisation from the Authority.

(3) The person authorised to conduct supervision with concealed identity shall be obliged to prove their identity by the authorisation to conduct supervision with concealed identity only after the making the acts necessary during the supervision in the form of investigation with concealed identity.

(4) The entity under supervision is obliged to refund to the Authority all payments made by the person authorised to conduct supervision with concealed identity and the Authority shall refund to the entity under supervision all payments received within the conduct of such supervision, and they shall do so in 30 days from

when the person authorised to conduct supervision with concealed identity identified themselves with an authorisation to conduct supervision.

Article 85

Supervision over the Provision of Prohibited Offers

(1) Supervision over the provision of prohibited offers shall mean the searching of the provision of prohibited offers in the form of remote supervision, and the compilation of a list

- a) of prohibited websites, through which persons provide prohibited offers (hereinafter the "list of prohibited websites");
- b) of prohibited offers provided by way of communication using the electronic communication network and telecommunication devices to a number subject to higher tariff rates and prohibited offers given by way of the electronic communication network and telecommunication devices using short text messages sent to a number subject to special numbering with increased tariff rates (hereinafter the "list of prohibited numbers").

(2) The list of prohibited websites and the list of prohibited numbers shall be compiled and published by the Authority on its website always on the first business day in a week containing information valid on the last day of the previous week. The Authority shall be held responsible for accuracy of the data referred to in paragraph 3.

(3) The list of prohibited websites shall contain:

- a) the name and surname of the natural person or the name or business name of the legal person that provides a prohibited offer, if found out;
- b) the address of the website, through which the person provides a prohibited offer;
- c) the content of the prohibited offer provided;
- d) the account number used by the person providing a prohibited offer for the purpose of receiving stakes, if found out and, eventually, also the identification number of the merchant⁸⁾, if payment transactions by means of a merchant are made for the purposes of receiving stakes during provision of a prohibited offer;
- e) the date as of which the list of prohibited websites is compiled.

(4) The list of prohibited numbers shall contain:

- a) the name and surname of the natural person or the name or business name of the legal person that provides a prohibited offer, if found out;
- b) the phone number used by the person to give a prohibited offer;
- c) the content of the prohibited offer provided;
- d) the date as of which the list of prohibited offers given by way of the numbers is compiled.

(5) For the purpose of detecting the data pursuant to paragraph 3(a) through (d) and paragraph 4(a) through (c), the person authorised to conduct supervision shall be entitled to use the identification data of other natural person with their consent or data of a fictitious person. Before including the data pursuant to paragraph 3(a) through (d) and paragraph 4(a) through (c) into the list of prohibited websites and the list of prohibited numbers, the Authority shall send a call via electronic mail to the entity under supervision to stop providing the prohibited offer within ten days from the sending of the call; if the electronic address is not provided on the website, the data pursuant to paragraph 3(a) through (d) and paragraph 4(a) through (c) can be included in the list even without sending the call. The call must include a warning of consequences of a failure to stop the provision of prohibited offer.

(6) The Authority shall not include into the list of prohibited websites and the list of prohibited numbers, or exclude from those lists, the entity under supervision that will prove that they do not provide prohibited offer or

if the provision of prohibited offer has been terminated.

(7) In conducting the supervision over the provision of prohibited offers, the Authority shall be entitled to request background documents for the purposes of supervision from the provider of payment services, including the identification of the user of the payment services and other information on the user of the payment services that is the entity under supervision.

(8) The person providing electronic communication networks and electronic communication services, shall be obliged, based on an order of court issued at the request of the Authority, to prevent access to the website through which the prohibited offer is provided and to the number to the service that is subject to an increased tariff rates by means of a call at which prohibited offer is being provided by way of the electronic communication network and telecommunication devices (hereinafter the "prohibited number") and to the prohibited offer provided by means of the electronic communication network and telecommunication devices with the use of short text messages sent to a number to a service with special numbering subject to increased tariff rates (hereinafter the "prohibited offer at the phone number"). The person providing payment services shall be obliged, based on an order of court issued at the request of the Authority, to prevent the execution of the payment operation or other payment service in favour of the account used by the person providing the prohibited offer for the purpose of stake acceptance in providing the prohibited offer, and in relation to the merchant, if payment transactions by means of a merchant are made for the purposes of receiving stakes during provision of a prohibited offer.

(9) A judge of the court competent pursuant to a special regulation⁵⁷⁾ shall be competent to issue an order pursuant to paragraph 8. No remedy is admissible against the order of court pursuant to paragraph 8.

(10) The request pursuant to paragraph 8 first sentence must be in writing and must contain

- a) identification of the person providing electronic communication networks and electronic communication services;
- b) the data concerning the website the access to which is to be prevented, or the data concerning the prohibited number and prohibited offer at the phone number the access to which is to be prevented, particularly the data concerning the name of the prohibited offer, conditions of participation in the prohibited offer, communication channels used to communicate the prohibited offer, and other data identifying the prohibited offer and the number by way of which the prohibited offer is being provided;
- c) the data on the scope and time limit of prevention of the access to the website or the prohibited number or the prohibited offer at the phone number;
- d) the reasons why it is necessary to prevent access to the website or the prohibited number or the prohibited offer at the phone number.

(11) The order of court pursuant to paragraph 8 first sentence must be issued in writing within seven days from filing the request and must contain

- a) identification of the court issuing the order;
- b) identification of the person providing electronic communication networks and electronic communication services;
- c) the data concerning the website the access to which is to be prevented, or the data concerning the prohibited number and prohibited offer at the phone number the access to which is to be prevented, particularly the data concerning the name of the prohibited offer, conditions of participation in the prohibited offer, communication channels used to communicate the prohibited offer, and other data identifying the prohibited offer and the number by way of which the prohibited offer is being provided;
- d) the data on the scope and time limit of prevention of the access to the website or the prohibited number or the prohibited offer at the phone number;

- e) the reasons why it is necessary to prevent access to the website or the prohibited number or the prohibited offer at the phone number.

(12) The request pursuant to paragraph 8 second sentence must be in writing and must contain

- a) identification of the person providing payment services;
- b) the account number used by the person providing a prohibited offer for the purpose of receiving stakes, and, eventually, also the identification number of the merchant⁸⁾, if payment transactions by means of a merchant are made for the purposes of receiving stakes during provision of a prohibited offer;
- c) the data on the scope and time limit of prevention of performance of the payment operation or other paid service in favour of the account pursuant to point (b);
- d) the reasons why it is necessary to prevent the payment operation or other paid service in favour of the account pursuant to point (b).

(13) The order of court pursuant to paragraph 8 second sentence must be issued in writing within seven days from filing the request and must contain

- a) identification of the court issuing the order;
- b) identification of the person providing payment services;
- c) the account number used by the person providing a prohibited offer for the purpose of receiving stakes, and, eventually, also the identification number of the merchant⁸⁾, if payment transactions by means of a merchant are made for the purposes of receiving stakes during provision of a prohibited offer;
- d) the data on the scope and time limit of prevention of performance of the payment operation or other paid service in favour of the account pursuant to point (c);
- e) the reasons why it is necessary to prevent the payment operation or other paid service in favour of the account pursuant to point (c).

(14) The Authority shall publish the order of court pursuant to paragraph 8 on its website and deliver it to the persons mentioned in paragraph 11(b) only, if an order of court pursuant to paragraph 8 first sentence is concerned, or to the persons mentioned in paragraph 13(b), if an order of court pursuant to paragraph 8 second sentence is concerned, who based on the order shall perform acts pursuant to special regulations⁴⁷⁾.

(15) If the reasons for the issuance of an order of court pursuant to paragraph 8 cease to exist, the Authority shall ask the respective court to cancel it. The decision cancelling the order of court shall be published on the Authority's website; the Authority shall deliver the decision cancelling the order of court to the persons mentioned in paragraph 11(b) only, if an order of court pursuant to paragraph 8 first sentence is concerned, or to the persons mentioned in paragraph 13(b), if an order of court pursuant to paragraph 8 second sentence is concerned, who based on the decision shall perform acts pursuant to special regulations⁴⁷⁾.

PART ELEVEN

TECHNICAL ASSESSMENT

Article 86

(1) Technical assessment is the activity of the authorised testing laboratory performed within the scope and under the conditions mentioned in the authorisation for technical assessment pursuant to Article 87.

(2) The authorised testing laboratory can be requested in writing to conduct technical assessment of

- a) gambling machines;

- b) technical equipment operated directly by the gamblers;
- c) video lottery terminals and other equipment used in the operation of video lottery terminals;
- d) other technical equipment;
- e) equipment used in the operation of numerical lotteries and bingo;
- f) the electronic connections between individual places of operation of gambling games and the central place of evaluation of the course and results of the gambling game;
- g) the interconnections and securing of interconnections with electronic communication networks if they are used for the operation of a gambling game;
- h) the software used for the operation of gambling games pursuant to Article 4(2)(b), (d) through (h), Article 5(3)(c), (d) and (f), and Article 30, except the off-casino card games and the versions of their programmes; the authorised testing laboratory may be requested in writing to conduct technical assessment of the software, if it is used to operate gambling games referred to in Article 4(2)(i) and their versions.

(3) A certificate shall be issued by the authorised testing laboratory upon conducting the technical assessment of technical equipment and systems referred to in paragraph 2.

(4) The applicant shall be obliged to ensure the technical assessment of equipment and systems pursuant to paragraph 2 before filing the application for individual licence. The gambling game operator shall be obliged to ensure the technical assessment of equipment and systems pursuant to paragraph 2 after the expiry of the period, for which the certificate has been issued by the authorised testing laboratory.

(5) The technical equipment and systems pursuant to paragraph 2 can be technically assessed only by an authorised testing laboratory and it can technically assess only those equipment and systems pursuant to paragraph 2, for the technical assessment of which it has been authorised.

(6) The authorised testing laboratory also conducts technical assessment based on an invitation by the person authorised to conduct supervision pursuant to Article 83(4)(b).

(7) The authorised testing laboratory may be asked by the Authority to conduct technical assessment of the technical equipment and systems used to operate gambling games referred to in Article 4(2), if a suspicion exists that the gambling games have been operated without a granted or issued licence.

(8) The authorised testing laboratory may, in presence of the person authorised to conduct supervision, conduct random checks of the stake ratio and the serviceability of technical equipment and systems and may, based on ascertainment of the violation of the conditions laid down under this Act, revoke the certificate, and shall be obliged to notify the Authority thereof. The cost associated with this check shall be borne by the operator of the technical equipment; provided, however, that shortcomings have been found.

(9) The essentials of the application for technical assessment of technical equipment and systems used during operation of gambling games shall be laid down in a generally binding legal regulation to be issued by the Ministry of Finance.

Article 87

(1) Only a legal person having its registered office within the territory of the Slovak Republic, which is authorised⁵⁸⁾ and notified⁵⁹⁾ by the Slovak Office of Standards, Metrology and Testing for the purpose of technical assessment of the relevant product for the area of electromagnetic compatibility and for the area of radio equipment pursuant to special regulations⁶⁰⁾ may act as an authorised testing laboratory.

(2) Also a legal person having its registered office or branch in other EU member state which was appointed by the other EU member state to conduct technical assessment and which is included in the list of notified bodies

for the area of electromagnetic compatibility⁶¹⁾ and the area of radio equipment⁶²⁾ published on the website of the European Commission may act as an authorised testing laboratory.

(3) Legal persons referred to in paragraphs 1 and 2 must be accredited for the relevant harmonised technical standards or for similar technical specifications for the assessment of conformity of the electric equipment⁶³⁾ by the national accreditation body⁶⁴⁾.

(4) The authorisation shall be issued by the Authority based on an application of a legal person as referred to in paragraphs 1 and 2 for a definite period of time, but for a period not shorter than five years; the Authority may extend the validity of the certificate after expiry of the above time limit and upon conducting an inspection⁴⁶⁾.

(5) The legal person referred to in paragraph 2 may only be authorised by the Authority to conduct technical assessment of the connection, or arrangement of the connection, to the electronic communication networks pursuant to Article 86(2)(g) and software used to operate on-line games pursuant to Article 30.

(6) The issuance of an authorisation for technical assessment is not a matter of legal eligibility.

(7) The Authority may change the authorisation for technical assessment on its own initiative, if this Act is changed.

(8) The Authority shall publish the list of authorised testing laboratories which have been granted authorisations along with the scope of such authorisation on the Authority's web site.

Article 88

(1) During technical assessment, the authorised testing laboratory shall verify and certify that the technical equipment and systems mentioned in Article 86(2)

- a) are capable of gambling game operation;
- b) are secure in terms of protection of data, which will be received, sent and processed through them;
- c) meet the technical requirements laid down by technical regulations in the area of conformity assessment⁶⁵⁾; and
- d) gambling game operation through them will be in compliance with the gambling game rules.

(2) For the technical equipment and systems pursuant to Article 86(2)(a) through (e) and other equipment and systems, which are interconnected for the purpose of playing a premium game, the authorised testing laboratory shall technically assess the system of creation of a premium game, premium winning and the method of recording and paying out the premium winnings.

(3) In the certificate, the authorised testing laboratory shall include

- a) the identification of the gambling game operator that will use the technical equipment or system pursuant to Article 86(2) in gambling game operation;
- b) the owner of the technical equipment or system pursuant to Article 86(2);
- c) the manufacturer of gambling game – programme;
- d) the manufacturer of the technical equipment;
- e) the kind, type or other description of the technical equipment or system pursuant to Article 86(2) and possibly also its serial number, if a part of it;
- f) the gambling currency;
- g) the opinion on each of the facts under assessment pursuant to paragraph 1 or 2;

- h) the conditions of use of the technical equipment or system pursuant to Article 86(2), if they must be observed to preserve the facts under assessment pursuant to paragraph 1 or 2 for the entire period of using them in gambling game operation;
- i) the period, for which the certificate is issued;
- j) the date of certificate issuance;
- k) the serial number of the certificate;
- l) the seal, name, registered office and identification number of the authorised testing laboratory issuing the certificate, and the name, surname and signature of the authorised employees of the authorised testing laboratory.

(4) In assessing the facts pursuant to paragraph 2, the authorised testing laboratory shall provide in the certificate the data pursuant to paragraph 3 as well as

- a) the address of the gambling house or casino, in which the premium game is operated;
- b) the gambling game type, type of technical equipment and systems pursuant to Article 86(2)(a) through (d) which are interconnected for the purpose of playing the premium game, the numbers of the certificates of technical equipment connected to the premium game except the technical equipment pursuant to Article 86(2)(c), programme version;
- c) the manufacturer of the premium game and programme versions;
- d) the number of technical equipment and systems pursuant to Article 86(2)(a) through (d) which are interconnected for the purpose of playing the premium game and their serial numbers;
- e) the system of creation of the premium game, the premium winning and the way of registration and payout of the premium winning.

(5) The authorised testing laboratory shall conduct verifications of technical equipment and systems in accordance with Article 86(2), for which a certificate was issued, within the scope and time limits referred to in the technical assessment authorisation.

(6) The requirements for technical equipment and systems pursuant to Article 86(2) used during operation of individual types of gambling games, including the details concerning stakes, bets and winnings for individual types of gambling games, shall be laid down in a generally binding legal regulation to be issued by the Ministry of Finance.

Article 89

(1) In the certificate, the authorised testing laboratory can impose a duty on the gambling game operator to have the technical equipment or system pursuant to Article 86(2) technically re-assessed after a specified period of using it. The certificate shall expire if the gambling game operator fails to fulfil this duty within the time limit specified by the authorised testing laboratory.

(2) The authorised testing laboratory shall issue a certificate within 90 days after the submission of a full application for technical assessment of technical equipment and systems in accordance with Article 86(2). In justified cases, upon the request of the authorised testing laboratory, the Authority may extend the time limit provided for in the first sentence herein.

(3) If the application for technical assessment of technical equipment and systems pursuant to Article 86(2) is incomplete, no later than within 15 business days from the delivery of the application, the Authority shall call upon the applicant to provide the missing information, specifying the time limit that must not be shorter than 10 business days, and warn the applicant that if the missing information is not provided, the proceeding will be suspended.

Article 90

The authorised testing laboratory keeps register of issued certificates and submits it to the Authority within 15 days from the expiry of the calendar half-year. The authorised testing laboratory submits information from its information system on the issued certificates to the Authority within the scope, in the way and within the time limits specified in the generally binding legal regulation to be issued by the Ministry of Finance.

PART TWELVE

SANCTIONS

Article 91

(1) The Authority may revoke the individual licence if the gambling game is operated contrary to the conditions laid down in this Act or to the conditions laid down in the individual licence. The Authority may revoke the individual licence if any of the entrepreneurs in the group of the operator is included in the list of prohibited websites or in the list of prohibited offers provided by way of numbers. Operator's group is a group of natural persons or legal entities which have a controlling relationship between each other or which are controlled by one natural person or legal person.

(2) The Authority shall revoke the individual licence if the gambling game is operated contrary to Article 15(5), if the foreign representative office is erased from the list of representative offices, or if facts take place, or additionally emerge, due to which granting of individual licence would be impossible, or if the information based on which the individual licence was granted is subsequently proved not to have been true, or at the request of gambling game operator.

(3) If the Authority revokes the individual licence, the Authority may decide to deduct the yield from the gambling game operated based on the revoked individual licence to the state budget.

(4) The Authority may decide to deduct the yield from the gambling game operated by a person without licence to the state budget.

(5) In applying sanctions, the Authority takes into consideration the nature, severity, method and extent of fault, duration and consequences of wrongful conduct. In applying sanctions, the Authority shall take into consideration that the entity under supervision or the person referred to in paragraph 6 have discovered the violation of the obligation and restored the lawful state on their own before the decision imposing sanction was issued.

(6) If, during conduct of the supervision, the Authority finds out that a person which violated the provisions of this Act or a person close thereto or controlled thereby acquired property-linked benefit in connection with violation of the provisions of this Act, the Authority shall impose a duty upon the person which acquired the above property-linked benefit to pay the amount equalling the value of such property-linked benefit to the state budget.

(7) The sanctions due to other administrative offences under this Act may be imposed in two years from when the Authority or the competent administrator of the levy identified violation of the obligation, but no later than in five years from the occurrence of the violation. Those sanctions may be applied concurrently and repeatedly.

Article 92

(1) If the Authority finds out during supervision that the entity under supervision has violated the provisions of this Act, or other generally binding legal regulations applicable to gambling game operation, promotion of

gambling games, conditions of operation of gambling games laid down in this Act or specified in an individual licence or general licence, the duties according to the approved game plan or fails to meet the duties imposed upon them by a valid decision of the Authority, the Authority shall impose one or several of the following sanctions upon them:

- a) a measure for the elimination and rectification of the shortcomings found including the time limit for its fulfilment and the duty to inform the Authority on its fulfilment within the specified time limit;
- b) the submission of special statements, announcements and reports;
- c) the discontinuation of the unauthorised activity or prohibited activity;
- d) suspension of operation of the technical equipment intended for the operation of gambling games, establishment, gambling house, casino or gambling game;
- e) a fine.

(2) The Authority can suspend the operation of the technical equipment used for the operation of gambling games, establishment, gambling house or gambling game, if, while conducting supervision, the Authority finds out

- a) shortcomings that can affect proper operation of the gambling game, until they are eliminated;
- b) the failure to meet any of the conditions of gambling game operation laid down in this Act or specified in the individual licence or in the general licence;
- c) the violation of the conditions of gambling game operation laid down in this Act or specified in the individual licence or in the general licence;
- d) the failure to meet the duties referred to in the approved game plan;
- e) the failure to meet the provisions of this Act, other generally binding legal regulations applicable to gambling game operation or gambling game promotion;
- f) operation of technical equipment without individual licence or general licence;
- g) failure to submit the statement of levies by the gambling game operator and statement of the contribution to finance the Authority within the time limit based on Authority's call to submit the statement or corrective statement;
- h) failure to replenish the financial guarantee within the time limit pursuant to Article 67(2).

(3) If the Authority suspends the operation of the technical equipment used for the operation of gambling games, establishment, gambling house or gambling game, the Authority shall produce a written record thereof. When the gambling game operation is suspended, the Authority shall be entitled to seal the technical equipment, other equipment or systems used in gambling game operation. The damage caused by the suspension of the gambling game operation shall be borne by the entity under supervision.

(4) If the gambling game operator eliminates the shortcomings for which the operation of the technical equipment used for the operation of gambling games, establishment, gambling house, casino or gambling game was suspended, they can continue to operate the technical equipment used for operation of gambling games, establishment, gambling house, casino or gambling game only after the previous written consent of the Authority; the Authority shall be obliged to grant the written consent no later than within three business days from proving the elimination of the shortcomings by the operator.

(5) If, at the time until the expiry of two years from the date, on which the decision on imposing a fine came into legal force, another violation of duties occurs for which the fine was imposed on the same entity, the Authority may impose a fine up to double the previous fine.

(6) The fine shall be due within 30 days from the date on which the decision on imposing the fine came into legal force.

(7) The fines which were lawfully imposed by the Government Audit Office⁶⁶⁾ constitute a revenue of the state budget; for that purpose, the Authority shall send the valid decision on imposing the fine and the statement of arrears pursuant to Article 67(7), unless the fines have been fully paid using the financial guarantee pursuant to Article 67(5)(f).

(8) The fine for other administrative offence pursuant to article 96(3) imposed by the administrator of the levy being the municipality shall be administered by the municipality and shall constitute a revenue of the municipality.

Article 93

If, within the conduct of an audit pursuant to Article 77(9)(c), the Authority finds out that the authorised testing laboratory has

- a) failed to provide a register of certificates issued or has provided an incomplete register of certificates issued within the time limit in accordance with Article 90, the Authority shall impose a fine of EUR 500 to EUR 1,000 on the authorised testing laboratory;
- b) failed to issue a certificate within the time limit in accordance with Article 89(2), issued a certificate not indicating the essentials in accordance with Article 88(3) or (4), issued a certificate on the basis of an incomplete application, or issued a certificate the essentials of which do not comply with the application, the Authority shall impose a fine of EUR 1,000 to EUR 20,000 on the authorised testing laboratory;
- c) issued a certificate before the authorisation decision pursuant has become enforceable or issued a certificate on the basis of a technical assessment conducted by a person that is not an accredited person, the Authority shall impose a fine of EUR 20,000 to EUR 30,000 on the authorised testing laboratory;
- d) issued a certificate which is contrary to this Act, the Authority shall impose a fine of EUR 50,000 to EUR 100,000 on the authorised testing laboratory;
- e) violated the scope and conditions referred to in the technical assessment authorisation, issued a certificate for technical equipment or systems in accordance with Article 86(2), while it has not been authorised for such technical assessment, issued a certificate for technical equipment or systems in accordance with Article 86(2) which do not comply with the requirements provided for in Article 88(1), or issued a certificate for technical equipment or systems in accordance with Article 86(2) after the expiration of the period for which it was authorised and notified by the Slovak Office of Standards, Metrology and Testing and accredited within, or after the expiry of the time period during which it was included in the list pursuant to Article 87(2) and accredited pursuant to Article 87(3), the Authority shall revoke the authorised testing laboratory's authorisation.

Article 94

(1) The competent levy administrator shall impose upon the gambling game operator the duty to pay late payment interest if the levies pursuant to Article 71 are not paid by the gambling game operator in time or in a correct amount, amounting to 0.1% of the outstanding amount for each day of delay from the day following the due date of the levy to the day, on which the outstanding amount was paid to the account of the competent levy administrator. The competent levy administrator shall not impose the late payment interest if the late payment interest in total does not exceed five Euro for one calendar year. The late payment interest shall be rounded up to the whole Euro cent. The late payment interest shall be due within 30 days from the date of legal force of the decision on imposing the late payment interest. The late payment interest imposed by the levy administrator, which is the Authority, represents revenue of the state budget. The late payment interest imposed by the levy administrator, which is the municipality, represents revenue of the municipality. If the levy or late payment interest is not paid within the period of maturity, the competent levy administrator shall start recovering the outstanding amount; in recovering the outstanding amounts, the provision of Article 67(5)(f) shall be followed at first.

(2) The Authority shall impose upon the gambling game operator the duty to pay late payment interest if the contributions pursuant to Article 78 are not paid by the gambling game operator in time or in a correct amount, amounting to 0.1% of the outstanding amount for each day of delay from the day following the due date of the contribution to the day, on which the outstanding amount was paid to the account of the Authority. The Authority shall not impose the late payment interest if the late payment interest in total does not exceed five Euro for one calendar year. The late payment interest shall be rounded up to the whole Euro cent. The late payment interest shall be due within 30 days from the date of legal force of the decision on imposing the late payment interest. The late payment interest represents revenue of state budget. If the late payment interest is not paid within the period of maturity, the Authority shall start recovering the outstanding amount; in recovering the outstanding amounts, the provision of Article 67(5)(f) shall be followed at first.

Article 95

Offences

(1) An offence in the area of gambling game operation, gambling game promotion or related activities is committed by a natural person being an entity under supervision pursuant to Article 80(b) through (k) which

- a) fails to meet the duty imposed in a valid decision of the Authority;
- b) obstructs conduct of supervision pursuant to this Act;
- c) promotes a gambling game or performs activities related to the promotion of a gambling game contrary to this Act, conditions of gambling game operation laid down in this Act, game plan, or specified in the licence;
- d) takes part in the operation of a gambling games, or performs activities for the gambling game operation based on a contractual or similar relationship, or howsoever assists the operation of gambling game contrary to this Act, conditions of gambling game operation laid down in this Act, game plan, or specified in the licence;
- e) uses the identification "casino" or "gambling house" including the derived word forms without the individual licence granted;
- f) promotes a gambling game, takes part in the promotion thereof, or performs activities related to the promotion of a gambling game, for which no individual licence or general licence has been granted;
- g) fails to meet the duty pursuant to Article 85(8); or
- h) operates a gambling game, is involved in the operation of a gambling game or performs activities in the operation of a gambling game or howsoever assists the operation of a gambling game, for which no individual or general licence has been granted.

(2) The Authority shall impose on the natural person pursuant to paragraph 1 a fine

- a) from EUR 200 to EUR 1,000 for the commission of an offence pursuant to paragraph 1(a);
- b) from EUR 700 to EUR 5,000 for the commission of an offence pursuant to paragraph 1(b);
- c) from EUR 1,000 to EUR 10,000 for the commission of an offence pursuant to paragraph 1(c);
- d) from EUR 2,000 to EUR 20,000 for the commission of an offence pursuant to paragraph 1(d);
- e) from EUR 3,000 to EUR 30,000 for the commission of an offence pursuant to paragraph 1(e);
- f) from EUR 5,000 to EUR 50,000 for the commission of an offence pursuant to paragraph 1(f);
- g) from EUR 10,000 to EUR 100,000 for the commission of an offence pursuant to paragraph 1(g);
- h) from EUR 20,000 to EUR 250,000 for the commission of an offence pursuant to paragraph 1(h).

(3) General regulation on offences shall apply to offences and hearing of offences.

Article 96
Other Administrative Offences

(1) The Authority shall impose a fine for administrative offences in the amount

- a) of EUR 500 on the legal person being the entity under supervision pursuant to Article 80(a), for a failure to meet any of the duties laid down in Article 14(3) second sentence, Article 40(4) or (5), or Article 41;
- b) of EUR 500 to EUR 10,000 on the legal person being the entity under supervision pursuant to Article 80(a), for a failure to meet any of the duties laid down in Article 15, 16, 33, Article 74(1) through (13), Article 92(1)(b) or imposed through a measure pursuant to Article 92(1)(a);
- c) of EUR 700 to EUR 15,000 on the legal person being the entity under supervision pursuant to Article 80(a), for obstructing supervision pursuant to this Act;
- d) of EUR 1,500 to EUR 50,000 on the legal person being the entity under supervision pursuant to Article 80(e) or (f), for promotion of a gambling game or performance of activities related to the promotion of a gambling game contrary to this Act, conditions of gambling game operation laid down in this Act, game plan, or specified in the licence;
- e) from EUR 3,000 to EUR 100,000 on the legal person being the entity under supervision pursuant to Article 80(a) or (b), for the operation of a gambling game, taking part in the operation of a gambling game or performance of activities for the gambling game operation or howsoever assisting the operation of gambling games contrary to this Act, conditions of gambling game operation laid down in this Act, game plan, or specified in the licence, record of gambling game operation suspension or for a failure to meet the duty imposed by a valid decision of the Authority;
- f) from EUR 5,000 to EUR 50,000 on the legal person being the entity under supervision pursuant to Article 80(h), for using the identification "casino" or "gambling house" including the derived word forms without an individual or general licence pursuant to this Act;
- g) from EUR 5,000 to EUR 50,000 on the legal person being the entity under supervision pursuant to Article 80, for using the phrase "national lottery company" or the acronym "n.l.s." or the translations thereof without a licence granted for the operation of state lottery;
- h) from EUR 5,000 to EUR 100,000 on the legal person being the entity under supervision pursuant to Article 80(a), for the operation of a prohibited gambling game pursuant to Article 14(16);
- i) from EUR 5,000 to EUR 250,000 on the legal person being the entity under supervision pursuant to Article 80(e) through (g) or (j), for the promotion of a gambling game, or taking part in the promotion thereof, or performance of activity related to the promotion of a gambling game, for which no individual licence or general licence pursuant to this Act has been granted or issued, respectively;
- j) from EUR 10,000 to EUR 500,000 on the legal person being the entity under supervision pursuant to Article 85(8);
- k) from EUR 20,000 to EUR 500,000 on the legal person being the entity under supervision pursuant to Article 80(b), (d), (g), (i) or (j), for the operation of a gambling game, or taking part in the operation thereof, or assisting the operation of a gambling game, for which no individual licence or general licence has been granted or issued, respectively;

(2) If the imposition of a fine pursuant to point (e) or (k) of paragraph 1 fails to lead to a remedy within the time limit of 30 days from when the decision on the imposition of a fine becomes valid in law, the Authority shall impose the fine repeatedly up to double the upper threshold for fine laid down in point (k) of paragraph 1, and where a natural person of an entrepreneur or legal person is concerned, the Authority shall also submit to the competent Trade Licensing Office a suggestion to revoke the trade licence pursuant to the trade licensing act⁶⁷⁾.

(3) The competent levy administrator shall impose on the legal person being the entity under supervision pursuant to Article 80(a), a fine of EUR 300 for a failure to submit the statement of levies within the time limits pursuant to Article 72 and 73.

PART THIRTEEN COMMON, TRANSITIONAL AND FINAL PROVISIONS

Common Provisions

Article 97

(1) The Code of Administrative Procedure shall be applied to proceedings pursuant to this Act, unless otherwise laid down in paragraph 2.

(2) The Code of Administrative Procedure does not apply to:

- a) the issuance of general licences pursuant to Article 37;
- b) the notification duty referred to in Article 38;
- c) technical assessment pursuant to Article 86;
- d) suspension of gambling game operation pursuant to Article 92(2);
- e) the conduct of supervision pursuant to this Act;
- f) registration of natural persons in the register of excluded persons and erasure of natural persons from the register of excluded persons;
- g) the release of financial guarantee according to Article 67(5)(f).

(3) If the phrase "lotteries and other similar games" is used in generally binding legal regulations, it shall mean "gambling games".

Article 98

The employees of the Authority and the invited person shall have the status of public officials when performing the duties pursuant to this Act.

Article 99

Transitional Provisions

(1) The implementing regulations issued based on authorisation pursuant to the Act in effect until 28 February 2019 shall constitute implementing regulations pursuant to this Act until 30 June 2020.

(2) The generally binding regulations of a municipality issued pursuant to the Act in effect until 28 February 2019 shall remain in effect.

(3) The proceedings concerning granting and amendment of individual licence initiated and not completed until 28 February 2019 shall be completed pursuant to the Act in effect until 28 February 2019, unless otherwise provided in paragraphs 9 and 11.

(4) The issuance of confirmations of meeting the notification duty based on the general licence and the acts related thereto which were initiated but not completed until 28 February 2019 shall be completed pursuant to the Act in effect until 28 February 2019, unless otherwise provided in paragraphs 9 and 11.

(5) The proceedings concerning issuance of technical assessment authorisation initiated and not completed until 28 February 2019 shall be completed pursuant to the Act in effect until 28 February 2019, unless otherwise provided in paragraphs 9 and 11.

(6) The proceedings concerning imposition of sanctions initiated and not completed until 28 February 2019 shall be completed pursuant to the Act in effect until 28 February 2019, unless otherwise provided in paragraphs 9 and 11.

(7) The conduct of supervision not completed until 28 February 2019 shall be completed pursuant to the Act in effect until 28 February 2019, unless otherwise provided in paragraphs 9 and 11.

(8) The conduct of audit not completed until 28 February 2019 shall be completed pursuant to the Act in effect until 28 February 2019, unless otherwise provided in paragraphs 9 and 11.

(9) The conduct of state administration in the area of gambling games shall be conducted by the Authority effective as of 1 June 2019. In the time period from 1 March 2019 to 31 May 2019, the activities of the Authority

- a) pursuant to Article 77(9)(a) through (d), (j), (n), (r), (s) and (t) shall be carried out by the Ministry of Finance;
- b) pursuant to Article 77(9)(g), (h), (l), (m), (o), (q) shall be carried out by the Financial Directorate of the Slovak Republic;
- c) pursuant to Article 77(9)(i) and (p) shall be carried out by tax offices; tax offices shall also decide appeals against decision made by a municipality on the imposition of a sanction issued in a first-instance proceeding and review decisions on the imposition of a sanction outside appeal proceeding issued by a municipality;
- d) pursuant to Article 77(9)(d) through (f) and (k) shall be carried out by the Financial Directorate of the Slovak Republic, tax offices and customs authorities;
- e) in the matters relating to the issuance of confirmations of meeting the notification duty based on the general licence and the acts related thereto shall be carried out by locally competent tax offices.

(10) Proceedings of the public government authorities pursuant to Article 77(9)(a), (b), (k) and (t) conducted by the authorities referred to in paragraph 9 initiated after 28 February 2019 and not completed until 31 May 2019 shall be completed in accordance with this Act; this applies equally to the conduct of audit and supervision initiated by the authorities referred to in paragraph 9 after 28 February 2019 and not completed by those authorities before 31 May 2019.

(11) The proceedings pursuant to paragraphs 3, 5 and 6, the issuance of confirmations of meeting the notification duty based on the general licence, and the acts related thereto pursuant to paragraph 4, the conduct of supervision pursuant to paragraph 7, the conduct of audit pursuant to paragraph 8, and the proceedings concerning the release of financial guarantee or a part thereof pursuant to paragraph 12 not completed until 31 May 2019 shall be completed by the Authority in accordance with the Act in effect until 28 February, if first-instance proceedings are concerned, or by the Authority's Board in accordance with the Act in effect until 28 February 2019, if an appellate proceeding is to be decided. Legal effects of the acts made in accordance with the Act in effect until 28 February 2019 shall remain unchanged.

(12) The release of the financial guarantee, or a part thereof, deposited in an account of a tax office in accordance with the Act in effect until 28 February 2019 shall be subject to the Act in effect until 28 February 2019.

(13) The gambling game operator which operates, as of 1 March 2019, the gambling game based on general or individual licence shall put the amount of financial guarantee in harmony according to Article 68 or 69 on or before 31 May 2019.

(14) The applicant which is obliged to deposit a financial guarantee, and the gambling game operator which is obliged to replenish the financial guarantee in accordance with this Act within the time limit from 1 March 2019 to 31 May 2019 shall deposit the funds representing such guarantee in the account of the locally competent tax office based on the registered office of that applicant or gambling game operator.

(15) The applicant which is obliged to deposit a financial guarantee, and the gambling game operator which is obliged to replenish the financial guarantee in accordance with this Act after 31 May 2019 shall deposit the funds representing such guarantee in the account of the Authority.

(16) The financial guarantees deposited in the accounts of tax offices as of 31 May 2019 shall be transferred by the tax offices to the account of the Authority on or before 30 June 2019.

(17) The payment of levies and the charging thereof for operation of draw lotteries, instant lotteries and raffles initiated and not completed until 28 February 2019 shall be subject to the Act in effect until 28 February 2019.

(18) Unless otherwise provided in paragraph 17, the gambling game operator which was granted an individual licence in accordance with the Act in effect until 28 February 2019 and which is valid as of 1 March 2019, and the gambling game operator which operates a gambling game based on a general licence as of 1 March 2019, shall pay the levies under this Act from 1 March 2019, while, for the purposes of payment of levies,

- a) operation of gambling games operated by means of technical equipment operated directly by gamblers pursuant to the Act in effect until 28 February 2019 shall mean the operation of gambling games by means of technical equipment operated directly by gamblers pursuant to this Act;
- b) operation of gambling games operated by means of gambling machines pursuant to the Act in effect until 28 February 2019 shall mean the operation of gambling games by means of gambling machines pursuant to this Act;
- c) operation of video lottery games pursuant to the Act in effect until 28 February 2019 shall mean operation of gambling games by means of video lottery terminals in accordance with this Act.

(19) The gambling game operator which was permitted to operate gambling games by means of gambling machines in accordance with the Act in effect until 28 February 2019 shall pay the levy to the state budget in 2019 by paying EUR 433.33 for the first two calendar months and EUR 3,333.33 for the remaining calendar months.

(20) The gambling game operator which was permitted to operate gambling games by means of technical equipment operated directly by gamblers outside casino in accordance with the Act in effect until 28 February 2019 shall pay the levy to the state budget in 2019 by paying EUR 650.00 for the first two calendar months and EUR 3,333.33 for the remaining calendar months.

(21) The payment of the balance of the liability resulting from the extraordinary levy that the national lottery company was permitted to pay in instalments, and the use of those revenues from that part of the levy shall be subject to Article 37(20) in version in effect until 28 February 2019.

(22) The generally binding regulation of a municipality pursuant to Article 70(6) may be issued by the municipality with the effective date as of 1 July 2019 at the earliest.

(23) If a petition is filed after 28 February 2019 and the signature for this petition started to be collected prior to 1 March 2019, the signatures collected prior to 1 March 2019 shall be considered to be signatures collected for the petition in accordance with this Act.

(24) Each terminal equipment allowing receipt of stakes, each gambling machine, each video lottery terminal, each technical equipment operated directly by gamblers, each technical equipment used for operation

of gambling games by means of other technical equipment, numerical lotteries, bingo and charity lottery must be connected by means of electronic communication networks to the operator's server on or before 31 December 2020.

(25) The gambling game operator referred to in Article 14(21) must set up a free and permanent access for the Authority to its server on or before 1 January 2021.

(26) Technical assessment of technical equipment and systems initiated and not completed with the issuance of a certificate until 28 February 2019 shall be completed in accordance with the Act in effect until 28 February 2019.

(27) Fines due to offences and fines due to administrative offences imposed by tax offices prior to 31 May 2019 shall be managed by the Governmental Audit Office.

(28) The application for an individual licence for operation of casino gambling games and on-line games in an on-line casino may be filed by the Applicant on 1 March 2019 at the earliest, and such individual licence may be granted with the effective date no earlier than on 1 July 2019, if the applicant and any of the entrepreneurs belonging in the applicant's group meets the condition that it was not included in the list of prohibited websites or in the list of prohibited offers given by way of numbers 12 months before filing the application for individual licence.

(29) The application for an individual licence for operation of gambling games by means of gambling machines, video lottery terminals, technical equipment operated directly by gamblers and gambling games by means of other technical equipment in a gambling house and on-line games in an on-line casino may be filed by the Applicant on 1 March 2019 at the earliest, and such individual licence may be granted with the effective date no earlier than on 1 July 2019, if the applicant and any of the entrepreneurs belonging in the applicant's group meets the condition that it was not included in the list of prohibited websites or in the list of prohibited offers given by way of numbers 12 months before filing the application for individual licence.

(30) The application for an individual licence for operation of on-line games in an on-line casino may be filed by the Applicant on 1 March 2019 at the earliest, and such individual licence may be granted with the effective date no earlier than on 1 July 2019, if the applicant and any of the entrepreneurs belonging in the applicant's group meets the condition that it was not included in the list of prohibited websites or in the list of prohibited offers given by way of numbers 12 months before filing the application for individual licence.

(31) The application for an individual licence for operation of rate bets in a gambling house, establishment and in an on-line gambling house may be filed by the Applicant on 1 July 2019 at the earliest, and such individual licence may be granted with the effective date no earlier than on 1 July 2020, if the applicant and any of the entrepreneurs belonging in the applicant's group meets the condition that it was not included in the list of prohibited websites or in the list of prohibited offers given by way of numbers 12 months before filing the application for individual licence.

(32) The application for an individual licence for operation of rate bets in an on-line gambling house may be filed by the applicant on 1 July 2019 at the earliest, and such individual licence may be granted with the effective date no earlier than on 1 July 2020, if the applicant and any of the entrepreneurs belonging in the applicant's group meets the condition that it was not included in the list of prohibited websites or in the list of prohibited offers given by way of numbers 12 months before filing the application for individual licence.

(33) The monthly contribution pursuant to Article 78(6) shall be paid by the gambling game operator which was granted the individual licence pursuant to Article 35(b) points 11 through 15 for the first time on or before the 25th day after the end of the calendar month after the calendar month in which the decision granting such individual licence became valid in law.

(34) The operator of a gambling game operated by means of gambling machines, or technical equipment operated directly by gamblers, or video lottery terminals is obliged to harmonise the numbers of that equipment

with the provision under Article 14(2) until 31 December 2019.

(35) The operator of a gambling game operated by means of gambling machines, or technical equipment operated directly by gamblers, or video lottery terminals is obliged to identify the gambling house as set forth in Article 15(8) until 31 December 2019.

(36) The operator of a gambling game operated by means of gambling machines or video lottery terminals shall harmonise the operation of those gambling games with Article 15(1) until 31 December 2020.

(37) The gambling game operator which was granted an individual licence in accordance with the Act in effect until 1 March 2019 may operate the gambling game under the conditions, under which the individual licence has been granted in accordance with the Act in effect until 28 February 2019 until expiry of that individual licence, unless this Article provides otherwise. The condition of technical assessment of technical equipment and systems for operation of gambling game based on an individual licence granted prior to 1 March 2019 shall be deemed met even if their technical assessment is also conducted after 1 March 2019.

(38) The list of prohibited websites in accordance with the Act in effect until 28 February 2019 shall remain in full force and effect and shall be considered to be the list of prohibited websites in accordance with this Act. Court orders issued in accordance with the Act in effect until 28 February 2019 shall remain in full force and effect and shall be considered to be court orders issued in accordance with this Act.

(39) The obligation of the applicant for an individual licence pursuant to Article 35(b) points 11 through 15 which records data from the identity card and another document pursuant to Article 33(2) of the natural person who wishes to take part in a gambling game shall be considered to be met for the purposes of this Act.

(40) The applicants for a new individual licence which have a valid individual licence in place as of the effective date of this Act and which proved to have paid in the registered capital in accordance with the Act in effect until 28 February 2019 shall prove the payment of the registered capital by attaching the account statement of a bank or foreign bank branch only if it was increased due to the reasons laid down under this Act.

(41) The record-keeping with regard to the stakes, bets and winnings and the notification duties relating to such record-keeping shall be subject to the Act in effect until 28 February 2019 for no longer than until 31 December 2020.

(42) Until the technical assessment authorisation pursuant to Article 87 is issued, the technical assessment authorisation issued prior to the effective date of this Act shall be considered to be technical assessment authorisation issued in accordance with this Act, but no longer than until 31 December 2019.

(43) If the municipality wishes to ban operation of gambling games pursuant to Article 79(7) in 2019 by way of a generally binding regulation, such generally binding regulation may be passed by the municipality until 31 May 2019 with the effective date of 15 June 2019 at the earliest. The municipality may ban operation of gambling games in 2019 by way of a generally binding regulation pursuant to the first sentence for no more than six days. Posting the draft of generally binding regulation referred to in the first sentence on the notice board shall be advised to the Authority in five days from posting thereof, and passing such generally binding regulation shall be notified by the municipality to the Authority in five days from its passing stating the effective date thereof.

(44) If the operator of a gambling game by means of gambling machines applies, after 18 February 2019, for an amendment of the individual licence that was granted by a municipality, the application shall be reviewed as an application for individual licence for operation of gambling games by means of gambling machines in a gambling house in accordance with this Act. The individual licence granted by the municipality shall become null and void upon granting the new licence.

(45) If the applicant with a registered office in other EU member states applies for an individual licence from

1 March 2019 to 10 March 2019, such applicant shall deliver the application for licence and the application for registration of foreign representative office in the list of representative offices.

(46) The register of excluded persons compiled in accordance with the Act in effect until 28 February 2019 shall be considered to be the register of excluded persons in accordance with this Act. Natural persons registered in the register of excluded persons pursuant to Article 34(2)(e) through (g) shall be registered in the register of excluded person from 01 January 2021. If decisions are issued prior to 1 January 2021 justifying registration of natural persons pursuant to Article 34(2)(e) through (g) in the register of excluded persons, the Office of Labour, Social Affairs and Family, the law enforcement authority and the court shall provide, from 1 December 2020 to 31 December 2020, the data for the register of excluded persons regarding the natural persons pursuant to Article 34(2)(e) through (g), if the effects of such decisions justifying registration in the register of excluded persons continue to exist after 31 December 2020.

(47) If the municipality adopts a generally binding regulation concerning the location of the gambling house pursuant to Article 15(16), such generally binding regulation pursuant to Article 15(16) does not apply to gambling houses located prior to 28 February 2019.

(48) The rules of a gambling game operated by means of gambling machines, or video lottery terminals, and the description of such gambling games must be displayed on the screen of the gambling machine and the video lottery terminal in an official language no later than on 1 January 2020.

Article 100

(1) The responsibility for the conduct of public government in the area of gambling games passes from the Ministry of Finance, Financial Directorate of the Slovak Republic, tax offices and customs authorities to the Authority.

(2) In connection with the passage of powers and responsibilities as referred to in paragraph 1, the powers and responsibilities arising out of civil service, labour-law and other legal relations of the employees taking care of the exercise of that power and responsibility from the Ministry of Finance and the Financial Directorate of the Slovak Republic to the Authority. The management of the property of the state which was managed by the Ministry of Finance and the Financial Directorate of the Slovak Republic until 31 May 2019 and which serves for the purposes of the exercise of the powers and responsibilities in the area referred to in paragraph 1 shall pass to the Authority effective as of 1 June 2019. The rights and obligations out of other legal relations referred to in paragraph 1 shall pass from the Ministry of Finance, the Financial Directorate of the Slovak Republic, tax offices and customs authorities to the Authority effective as of 1 June 2019. Detailed information concerning the passage of those powers and responsibilities, and concerning the passage of the management of the state property shall be laid down by agreement between the Ministry of Finance, Financial Directorate of the Slovak Republic, tax offices and customs authorities and the Authority which shall particularly cover the type and scope of the property, powers and responsibilities assumed.

Article 101

Final Provisions

This Act has been adopted in compliance with a legally binding act of the European Union in the field of technical regulations.⁶⁸⁾

Article 102

Act No. 171/2005 Coll. on gambling games and on amendments and supplements to certain acts as amended by Act No. 659/2007 Coll., Act No. 70/2008 Coll., Act No. 478/2009 Coll., Act No. 479/2009 Coll., Act No. 84/2010 Coll., Act No. 374/2010 Coll., Act No. 514/2010 Coll., Act No. 227/2011 Coll., Act No. 228/2011

Coll., Act No. 547/2011 Coll., Act No. 286/2012 Coll., Act No. 439/2012 Coll., Act No. 135/2013 Coll., Act No. 333/2014 Coll., Act No. 91/2016 Coll., Act No. 125/2016 Coll., Act No. 386/2016 Coll., and Act No. 177/2018 Coll. shall be repealed.

CHAPTER II

The Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act) as amended by Act No. 231/1992 Coll., Act of the Slovak National Council No. 600/1992 Coll., Act of the Slovak National Council No. 132/1994 Coll., Act of the Slovak National Council No. 200/1995 Coll., Act of the Slovak National Council No. 216/1995 Coll., Act of the Slovak National Council No. 233/1995 Coll., Act of the Slovak National Council No. 123/1996 Coll., Act of the Slovak National Council No. 164/1996 Coll., Act of the Slovak National Council No. 222/1996 Coll., Act of the Slovak National Council No. 289/1996 Coll., Act of the Slovak National Council No. 290/1996 Coll., Act No. 288/1997 Coll., Act No. 379/1997 Coll., Act No. 70/1998 Coll., Act No. 76/1998 Coll., Act No. 126/1998 Coll., Act No. 129/1998 Coll., Act No. 140/1998 Coll., Act No. 143/1998 Coll., Act No. 144/1998 Coll., Act No. 161/1998 Coll., Act No. 178/1998 Coll., Act No. 179/1998 Coll., Act No. 194/1998 Coll., Act No. 263/1999 Coll., Act No. 264/1999 Coll., Act No. 119/2000 Coll., Act No. 142/2000 Coll., Act No. 236/2000 Coll., Act No. 238/2000 Coll., Act No. 268/2000 Coll., Act No. 338/2000 Coll., Act No. 223/2001 Coll., Act No. 279/2001 Coll., Act No. 488/2001 Coll., Act No. 554/2001 Coll., Act No. 261/2002 Coll., Act No. 284/2002 Coll., Act No. 506/2002 Coll., Act No. 190/2003 Coll., Act No. 219/2003 Coll., Act No. 245/2003 Coll., Act No. 423/2003 Coll., Act No. 515/2003 Coll., Act No. 586/2003 Coll., Act No. 602/2003 Coll., Act No. 347/2004 Coll., Act No. 350/2004 Coll., Act No. 365/2004 Coll., Act No. 420/2004 Coll., Act No. 533/2004 Coll., Act No. 544/2004 Coll., Act No. 578/2004 Coll., Act No. 624/2004 Coll., Act No. 650/2004 Coll., Act No. 656/2004 Coll., Act No. 725/2004 Coll., Act No. 8/2005 Coll., Act No. 93/2005 Coll., Act No. 331/2005 Coll., Act No. 340/2005 Coll., Act No. 351/2005 Coll., Act No. 470/2005 Coll., Act No. 473/2005 Coll., Act No. 491/2005 Coll., Act No. 555/2005 Coll., Act No. 567/2005 Coll., Act No. 124/2006 Coll., Act No. 126/2006 Coll., Act No. 17/2007 Coll., Act No. 99/2007 Coll., Act No. 193/2007 Coll., Act No. 218/2007 Coll., Act No. 358/2007 Coll., Act No. 577/2007 Coll., Act No. 112/2008 Coll., Act No. 445/2008 Coll., Act No. 448/2008 Coll., Act No. 186/2009 Coll., Act No. 492/2009 Coll., Act No. 568/2009 Coll., Act No. 129/2010 Coll., Act No. 136/2010 Coll., Act No. 556/2010 Coll., Act No. 249/2011 Coll., Act No. 324/2011 Coll., Act No. 362/2011 Coll., Act No. 392/2011 Coll., Act No. 395/2011 Coll., Act No. 251/2012 Coll., Act No. 314/2012 Coll., Act No. 321/2012 Coll., Act No. 351/2012 Coll., Act No. 447/2012 Coll., Act No. 39/2013 Coll., Act No. 94/2013 Coll., Act No. 95/2013 Coll., Act No. 180/2013 Coll., Act No. 218/2013 Coll., Act No. 1/2014 Coll., Act No. 35/2014 Coll., Act No. 58/2014 Coll., Act No. 182/2014 Coll., Act No. 204/2014 Coll., Act No. 219/2014 Coll., Act No. 321/2014 Coll., Act No. 333/2014 Coll., Act No. 399/2014 Coll., Act No. 77/2015 Coll., Act No. 79/2015 Coll., Act No. 128/2015 Coll., Act No. 266/2015 Coll., Act No. 272/2015 Coll., Act No. 274/2015 Coll., Act No. 278/2015 Coll., Act No. 331/2015 Coll., Act No. 348/2015 Coll., Act No. 387/2015 Coll., Act No. 412/2015 Coll., Act No. 440/2015 Coll., Act No. 89/2016 Coll., Act No. 91/2016 Coll., Act No. 125/2016 Coll., Act No. 276/2017 Coll., Act No. 289/2017 Coll., Act No. 292/2017 Coll., Act No. 56/2018 Coll., Act No. 87/2018 Coll., Act No. 106/2018 Coll., Act No. 112/2018 Coll., Act No. 157/2018 Coll., Act No. 170/2018 Coll., Act No. 177/2018 Coll., Act No. 216/2018 Coll. and Act No. 9/2019 Coll. shall be amended as follows:

Paragraph 1 of Article 58 shall be amended to include a new point (f) as follows:

"(f) The Gambling Regulatory Authority shall file a complaint in accordance with a special regulation.^{36jb)}". The footnote 36jb shall read as follows:

"36jb) Article 96(2) of Act No. 30/2019 Coll. on gambling games and on the amendment of certain acts.".

CHAPTER III

The Act of the Slovak National Council No. 145/1995 Coll. on administrative fees as amended by the Act of the Slovak National Council No. 123/1996 Coll., Act of the Slovak National Council No. 224/1996 Coll., Act

No. 70/1997 Coll., Act No. 1/1998 Coll., Act No. 232/1999 Coll., Act No. 3/2000 Coll., Act No. 142/2000 Coll., Act No. 211/2000 Coll., Act No. 468/2000 Coll., Act No. 553/2001 Coll., Act No. 96/2002 Coll., Act No. 118/2002 Coll., Act No. 215/2002 Coll., Act No. 237/2002 Coll., Act No. 418/2002 Coll., Act No. 457/2002 Coll., Act No. 465/2002 Coll., Act No. 477/2002 Coll., Act No. 480/2002 Coll., Act No. 190/2003 Coll., Act No. 217/2003 Coll., Act No. 245/2003 Coll., Act No. 450/2003 Coll., Act No. 469/2003 Coll., Act No. 583/2003 Coll., Act No. 5/2004 Coll., Act No. 199/2004 Coll., Act No. 204/2004 Coll., Act No. 347/2004 Coll., Act No. 382/2004 Coll., Act No. 434/2004 Coll., Act No. 533/2004 Coll., Act No. 541/2004 Coll., Act No. 572/2004 Coll., Act No. 578/2004 Coll., Act No. 581/2004 Coll., Act No. 633/2004 Coll., Act No. 653/2004 Coll., Act No. 656/2004 Coll., Act No. 725/2004 Coll., Act No. 5/2005 Coll., Act No. 8/2005 Coll., Act No. 15/2005 Coll., Act No. 93/2005 Coll., Act No. 171/2005 Coll., Act No. 308/2005 Coll., Act No. 331/2005 Coll., Act No. 341/2005 Coll., Act No. 342/2005 Coll., Act No. 468/2005 Coll., Act No. 473/2005 Coll., Act No. 491/2005 Coll., Act No. 538/2005 Coll., Act No. 558/2005 Coll., Act No. 572/2005 Coll., Act No. 573/2005 Coll., Act No. 610/2005 Coll., Act No. 14/2006 Coll., Act No. 15/2006 Coll., Act No. 24/2006 Coll., Act No. 117/2006 Coll., Act No. 124/2006 Coll., Act No. 126/2006 Coll., Act No. 224/2006 Coll., Act No. 342/2006 Coll., Act No. 672/2006 Coll., Act No. 693/2006 Coll., Act No. 21/2007 Coll., Act No. 43/2007 Coll., Act No. 95/2007 Coll., Act No. 193/2007 Coll., Act No. 220/2007 Coll., Act No. 279/2007 Coll., Act No. 295/2007 Coll., Act No. 309/2007 Coll., Act No. 342/2007 Coll., Act No. 343/2007 Coll., Act No. 344/2007 Coll., Act No. 355/2007 Coll., Act No. 358/2007 Coll., Act No. 359/2007 Coll., Act No. 460/2007 Coll., Act No. 517/2007 Coll., Act No. 537/2007 Coll., Act No. 548/2007 Coll., Act No. 571/2007 Coll., Act No. 577/2007 Coll., Act No. 647/2007 Coll., Act No. 661/2007 Coll., Act No. 92/2008 Coll., Act No. 112/2008 Coll., Act No. 167/2008 Coll., Act No. 214/2008 Coll., Act No. 264/2008 Coll., Act No. 405/2008 Coll., Act No. 408/2008 Coll., Act No. 451/2008 Coll., Act No. 465/2008 Coll., Act No. 495/2008 Coll., Act No. 514/2008 Coll., Act No. 8/2009 Coll., Act No. 45/2009 Coll., Act No. 188/2009 Coll., Act No. 191/2009 Coll., Act No. 274/2009 Coll., Act No. 292/2009 Coll., Act No. 304/2009 Coll., Act No. 305/2009 Coll., Act No. 307/2009 Coll., Act No. 465/2009 Coll., Act No. 478/2009 Coll., Act No. 513/2009 Coll., Act No. 568/2009 Coll., Act No. 570/2009 Coll., Act No. 594/2009 Coll., Act No. 67/2010 Coll., Act No. 92/2010 Coll., Act No. 136/2010 Coll., Act No. 144/2010 Coll., Act No. 514/2010 Coll., Act No. 556/2010 Coll., Act No. 39/2011 Coll., Act No. 119/2011 Coll., Act No. 200/2011 Coll., Act No. 223/2011 Coll., Act No. 254/2011 Coll., Act No. 256/2011 Coll., Act No. 258/2011 Coll., Act No. 324/2011 Coll., Act No. 342/2011 Coll., Act No. 363/2011 Coll., Act No. 381/2011 Coll., Act No. 392/2011 Coll., Act No. 404/2011 Coll., Act No. 405/2011 Coll., Act No. 409/2011 Coll., Act No. 519/2011 Coll., Act No. 547/2011 Coll., Act No. 49/2012 Coll., Act No. 96/2012 Coll., Act No. 251/2012 Coll., Act No. 286/2012 Coll., Act No. 336/2012 Coll., Act No. 339/2012 Coll., Act No. 351/2012 Coll., Act No. 439/2012 Coll., Act No. 447/2012 Coll., Act No. 459/2012 Coll., Act No. 8/2013 Coll., Act No. 39/2013 Coll., Act No. 40/2013 Coll., Act No. 72/2013 Coll., Act No. 75/2013 Coll., Act No. 94/2013 Coll., Act No. 96/2013 Coll., Act No. 122/2013 Coll., Act No. 144/2013 Coll., Act No. 154/2013 Coll., Act No. 213/2013 Coll., Act No. 311/2013 Coll., Act No. 319/2013 Coll., Act No. 347/2013 Coll., Act No. 387/2013 Coll., Act No. 388/2013 Coll., Act No. 474/2013 Coll., Act No. 506/2013 Coll., Act No. 35/2014 Coll., Act No. 58/2014 Coll., Act No. 84/2014 Coll., Act No. 152/2014 Coll., Act No. 162/2014 Coll., Act No. 182/2014 Coll., Act No. 204/2014 Coll., Act No. 262/2014 Coll., Act No. 293/2014 Coll., Act No. 335/2014 Coll., Act No. 399/2014 Coll., Act No. 40/2015 Coll., Act No. 79/2015 Coll., Act No. 120/2015 Coll., Act No. 128/2015 Coll., Act No. 129/2015 Coll., Act No. 247/2015 Coll., Act No. 253/2015 Coll., Act No. 259/2015 Coll., Act No. 262/2015 Coll., Act No. 273/2015 Coll., Act No. 387/2015 Coll., Act No. 403/2015 Coll., Act No. 125/2016 Coll., Act No. 272/2016 Coll., Act No. 342/2016 Coll., Act No. 386/2016 Coll., Act No. 51/2017 Coll., Act No. 238/2017 Coll., Act No. 242/2017 Coll., Act No. 276/2017 Coll., Act No. 292/2017 Coll., Act No. 293/2017 Coll., Act No. 336/2017 Coll., Act No. 17/2018 Coll., Act No. 18/2018 Coll., Act No. 49/2018 Coll., Act No. 52/2018 Coll., Act No. 56/2018 Coll., Act No. 87/2018 Coll., Act No. 106/2018 Coll., Act No. 108/2018 Coll., Act No. 110/2018 Coll., Act No. 156/2018 Coll., Act No. 157/2018 Coll., Act No. 212/2018 Coll., Act No. 215/2018 Coll., Act No. 284/2018 Coll., Act No. 312/2018 Coll., Act No. 346/2018 Coll. and Act No. 9/2019 Coll. shall be amended as follows:

The items 140 and 141 in the schedule of administrative fees of Part VIII Financial Administration and Business Activity shall read as follows:

"Item 140

a) Granting individual licence for operation of the following gambling games:

1. state lottery EUR 1,000;
2. instant lottery EUR 500;
3. charity lottery EUR 1,000;
4. pecuniary draw lotteries or pecuniary-and-in-kind draw lotteries EUR 700;
5. bet games except rate bets EUR 1,000;
6. bingo including special bingo EUR 4,000;
7. gambling games operated by means of gambling machines in a gambling house EUR 50,000;
8. gambling games operated by means of video lottery terminals in a gambling house EUR 50,000;
9. gambling games operated by means of technical equipment operated directly by gamblers in a gambling house EUR 50,000;
10. gambling games operated by means of other technical equipment in a gambling house EUR 50,000;
11. rate bets in a gambling house and establishments EUR 100,000;
12. casino gambling games EUR 250,000;
13. gambling games operated by means of gambling machines, video lottery terminals, technical equipment operated directly by gamblers, other technical equipment in a gambling house, and on-line games in an on-line casino EUR 2,000,000;
14. gambling games in a casino and on-line games in an on-line casino EUR 3,000,000;
15. gambling games operated in an on-line casino EUR 3,000,000;
16. rate bets in a gambling house, establishments and in an on-line gambling house EUR 3,000,000;
17. rate bets in an on-line casino EUR 3,000,000;
18. gambling games not listed under point 1 through 17 EUR 50,000;
19. casino gambling games and on-line games in an on-line casino and for operation of rate bets in a gambling house, establishments and on-line gambling house EUR 5,000,000;
administrative fee shall be paid in full amount at the time of filing the application for both or any of the licences, the time limit for filing the application for the second licence is not time restricted;
20. on-line games in an on-line casino and rate bets in an on-line gambling house EUR 5,000,000;
administrative fee shall be paid in full amount at the time of filing the application for both or any of the licences, the time limit for filing the application for the second licence is not time restricted;
21. casino gambling games and on-line games in an on-line casino and for operation of rate bets in an on-line gambling house EUR 5,000,000;
administrative fee shall be paid in full amount at the time of filing the application for both or any of the licences, the time limit for filing the application for the second licence is not time restricted;
22. on-line games in an on-line casino and for operation of rate bets in a gambling house, establishments and in an on-line gambling house EUR 5,000,000;
administrative fee shall be paid in full amount at the time of filing the application for both or any of the licences, the time limit for filing the application for the second licence is not time restricted;

b) notification of the legal person or operator of the intent to operate the in-kind draw lottery, raffle or off-casino card game or of the intent to continue the operation EUR 500;

c) change of licence based on notification or application of the gambling game operator for

1. gambling games referred to in (a) points 1 through 4 EUR 500;
2. gambling games referred to in (a) points 5 through 18 EUR 1,000;

d) notification of the operator of an in-kind draw lottery, raffle or off-casino card game of changes in data or documents, based on which the legal person was registered in the register of gambling game operators

- based on a general licence EUR 50;
e) issuance of an opinion on the location of installation of technical equipment, for each opinion EUR 100.

Item 141

Issuance of a technical assessment authorisation pursuant to Act No. 30/2019 Coll. on gambling games and on the amendment to certain acts EUR 2,000.".

CHAPTER IV

Act No. 483/2001 Coll. on banks and on amendments and supplements to certain acts as amended by Act No. 430/2002 Coll., Act No. 510/2002 Coll., Act No. 165/2003 Coll., Act No. 603/2003 Coll., Act No. 215/2004 Coll., Act No. 554/2004 Coll., Act No. 747/2004 Coll., Act No. 69/2005 Coll., Act No. 340/2005 Coll., Act No. 341/2005 Coll., Act No. 214/2006 Coll., Act No. 644/2006 Coll., Act No. 209/2007 Coll., Act No. 659/2007 Coll., Act No. 297/2008 Coll., Act No. 552/2008 Coll., Act No. 66/2009 Coll., Act No. 186/2009 Coll., Act No. 276/2009 Coll., Act No. 492/2009 Coll., Act No. 129/2010 Coll., Act No. 46/2011 Coll., Act No. 130/2011 Coll., Act No. 314/2011 Coll., Act No. 394/2011 Coll., Act No. 520/2011 Coll., Act No. 547/2011 Coll., Act No. 234/2012 Coll., Act No. 352/2012 Coll., Act No. 132/2013 Coll., Act No. 352/2013 Coll., Act No. 213/2014 Coll., Act No. 371/2014 Coll., Act No. 374/2014 Coll., Act No. 35/2015 Coll., Act No. 252/2015 Coll., Act No. 359/2015 Coll., Act No. 392/2015 Coll., Act No. 405/2015 Coll., Act No. 437/2015 Coll., Act No. 90/2016 Coll., Act No. 91/2016 Coll., Act No. 125/2016 Coll., Act No. 292/2016 Coll., Act No. 298/2016 Coll., Act No. 299/2016 Coll., Act No. 315/2016 Coll., Act No. 386/2016 Coll., Act No. 2/2017 Coll., Act No. 264/2017 Coll., Act No. 279/2017 Coll., Act No. 18/2018 Coll., Act No. 69/2018 Coll., Act No. 108/2018 Coll., Act No. 109/2018

Z. z., Act No. 177/2018 Coll., Act No. 345/2018 Coll., Act No. 373/2018 Coll. a Act No. 6/2019 Coll. shall be amended as follows:

The phrase "to the Financial Directorate of the Slovak Republic" in Article 91(4)(x) shall be replaced with the phrase "to the Gambling Regulatory Authority".

The footnote 86df shall read as follows:

"86df) Article 85(7) of Act No. 30/2019 Coll. on gambling games and on the amendment of certain acts.".

CHAPTER V

The Act No. 575/2001 Coll. on organisation of the activities of the government and central bodies of state administration as amended by Act No. 143/2002 Coll., Act No. 411/2002 Coll., Act No. 465/2002 Coll., Act No. 139/2003 Coll., Act No. 453/2003 Coll., Act No. 523/2003 Coll., Act No. 215/2004 Coll., Act No. 351/2004 Coll., Act No. 405/2004 Coll., Act No. 585/2004 Coll., Act No. 654/2004 Coll., Act No. 78/2005 Coll., Act No. 172/2005 Coll., Act No. 474/2005 Coll., Act No. 231/2006 Coll., Act No. 678/2006 Coll., Act No. 103/2007 Coll., Act No. 218/2007 Coll., Act No. 456/2007 Coll., Act No. 568/2007 Coll., Act No. 617/2007 Coll., Act No. 165/2008 Coll., Act No. 408/2008 Coll., Act No. 583/2008 Coll., Act No. 70/2009 Coll., Act No. 165/2009 Coll., Act No. 400/2009 Coll., Act No. 403/2009 Coll., Act No. 505/2009 Coll., Act No. 557/2009 Coll., Act No. 570/2009 Coll., Act No. 37/2010 Coll., Act No. 372/2010 Coll., Act No. 403/2010 Coll., Act No. 547/2010 Coll., Act No. 392/2011 Coll., Act No. 287/2012 Coll., Act No. 60/2013 Coll., Act No. 311/2013 Coll., Act No. 313/2013 Coll., Act No. 335/2014 Coll., Act No. 172/2015 Coll., Act No. 339/2015 Coll., Act No. 358/2015 Coll., Act No. 392/2015 Coll., Act No. 171/2016 Coll., Act No. 272/2016 Coll., Act No. 378/2016 Coll., Act No. 138/2017 Coll., Act No. 238/2017 Coll., Act No. 112/2018 Coll. and Act No. 313/2018 Coll. shall be amended and supplemented as follows:

1. A comma and the phrase "gambling games" shall be inserted behind the word "customs" in Art. 7(1).
2. A comma and the phrase "gambling games" shall be deleted after the word "reporting" in Art. 7(2)(b).

CHAPTER VI

The Act No. 479/2009 Coll. on governmental bodies collecting taxes and duties and amending and supplementing certain acts as amended by Act No. 331/2011 Coll., Act No. 384/2011 Coll., Act No. 69/2012 Coll., Act No. 235/2012 Coll., Act No. 441/2012 Coll., Act No. 347/2013 Coll., Act No. 253/2015 Coll., Act No. 339/2016 Coll., Act No. 386/2016 Coll. and Act No. 267/2017 Coll. shall be amended as follows:

1. Point (i) shall be deleted from paragraph 3 of Article 5.

The points (j) through (l) shall be renumbered as (i) through (k).

The footnote 15 shall be deleted.

2. The words "Article 5(3)(a) through (g), (i), (j) and (l) and paragraphs 4 and 6" in Article 6 shall be replaced with "Article 5(3)(a) through (g), (i) and (k) and paragraphs 4 through 6".

CHAPTER VII

The Act No. 492/2009 Coll. on payment services and on amendments and supplements to certain acts as amended by Act No. 130/2011 Coll., Act No. 394/2011 Coll., Act No. 520/2011 Coll., Act No. 547/2011 Coll., Act No. 352/2012 Coll., Act No. 206/2013 Coll., Act No. 352/2013 Coll., Act No. 405/2015 Coll., Act No. 91/2016 Coll., Act No. 125/2016 Coll., Act No. 386/2016 Coll., Act No. 281/2017 Coll., Act No. 177/2018 Coll. and Act No. 373/2018 Coll. shall be amended as follows:

Article 98a shall read:

"Article 98A

The provider of the payment service pursuant to Article 2(3)(a) through (d) and (g) of the payer shall not make the payment operation or provide other payment service in favour of the account of the recipient the number of which is indicated in the court order pursuant to a special regulation⁸³⁾ and in relation to the merchant the identification number of which is indicated in the court order pursuant to a special regulation⁸³⁾, and shall meet such obligation forthwith after delivery of the court order pursuant to a special regulation⁸³⁾. If the reasons for not making the payment operation or other payment service pursuant to the first sentence cease to exist due to revocation of the court order pursuant to a special regulation⁸³⁾, the provider of the payment service pursuant to article 2(3)(a) through (d) and (g) of the payer is obliged to forthwith after delivery of the decision revoking the court order make the payment operation or provide other payment service in favour of the account of the recipient the number of which is indicated in such decision and in relation to the merchant the identification number of which is indicated in such decision."

The footnote 83 shall read as follows:

"83) Act No. 30/2019 Coll. on gambling games and on amendments of certain acts."

CHAPTER VIII

The Act No. 333/2011 Coll. on governmental agencies for taxes, fees and customs as amended by Act No. 546/2011 Coll., Act No. 69/2012 Coll., Act No. 91/2012 Coll., Act No. 441/2012 Coll., Act No. 360/2015 Coll., Act No. 397/2015 Coll., Act No. 386/2016 Coll., Act No. 272/2017 Coll. and Act No. 373/2018 Coll. shall be amended as follows:

1. The words "or special regulations²⁵⁾" shall be deleted from Article 4(3)(v) point 5. The footnote 25 shall be deleted.
2. The point 6 of Article 4(3)(v) shall read as follows:

"6. it is necessary to check the outcomes of the tax audit conducted by tax office, the quality of customs surveillance and tax supervision conducted by the customs authority;"

CHAPTER IX

The Act No. 351/2011 Coll. on electronic communications as amended by Act No. 547/2011 Coll., Act No. 241/2012 Coll., Act No. 352/2013 Coll., Act No. 402/2013 Coll., ruling of the Constitutional Court of the Slovak Republic No. 128/2014 Coll., finding of the Constitutional Court of the Slovak Republic No. 139/2015 Coll., Act No. 247/2015 Coll., Act No. 269/2015 Coll., Act No. 391/2015 Coll., Act No. 397/2015 Coll., Act No. 444/2015 Coll., Act No. 125/2016 Coll., Act No. 353/2016 Coll., Act No. 386/2016 Coll., Act No. 238/2017 Coll., Act No. 243/2017 Coll., Act No. 319/2017 Coll., Act No. 56/2018 Coll., Act No. 69/2018 Coll., Z. and Act No. 177/2018 Coll. shall be amended and supplemented as follows:

1. The paragraph 6 of Article 41 shall read as follows:

"(6) The enterprise is obliged to restrict access to the web site the address of which is indicated in the court order pursuant to a special regulation^{35a)} immediately after delivery of the court order pursuant to a special regulation^{35a)}. The enterprise shall not be held liable for the damage caused by restricting the access pursuant to the first sentence. The enterprise is obliged to enable access to the web site the address of which is indicated in the decision revoking the court order pursuant to a special regulation^{35a)} immediately after delivery of such decision. State surveillance over compliance with the obligations pursuant to the first and third sentence shall be conducted, and sanction due to violation thereof imposed, by the Gambling Regulatory Authority pursuant to a special regulation^{35a)}."

The footnote 35a shall read as follows:

"35a) Act No. 30/2019 Coll. on gambling games and on amendments of certain acts."

2. Article 41 shall be amended to include a new paragraph 7 as follows:

"(7) The enterprise providing public networks and public services is obliged to block, based on a court order pursuant to a special regulation^{35a)}, the access to the number to the service subject to increased tariff rate by way of a phone call, at which prohibited offer is being provided by way of electronic communication network and telecommunication equipment, or to a prohibited offer provided by way of electronic communication network and telecommunication equipment by way of short text messages sent to the number to the service with special numbering subject to increased tariff rate, and forthwith after delivery of the court order pursuant to a special regulation^{35a)}. The enterprise shall not be held liable for the damage caused by blocking the access as set forth in the first sentence. The enterprise is obliged to stop blocking the access to the numbers pursuant to the first sentence indicated in the decision revoking the court order pursuant to a special regulation^{35a)} immediately after delivery of such decision. State surveillance over compliance with the obligations pursuant to the first and third sentence shall be conducted, and sanction due to violation thereof imposed, by the Gambling Regulatory Authority pursuant to a special regulation^{35a)}."

CHAPTER X

Effect

This Act shall enter into force on 1 March 2019, with the exception of Title II and IV through IX which shall enter into force on 1 June 2019.

Andrej Danko, signed by his own hand

Peter Pellegrini, signed by his own hand

- 1) Article 9(4) of Act No. 136/2001 Coll. on protection of competition and on amendments and supplements to Act No. 347/1990 Coll. of the Slovak National Council on organization of ministries and other central bodies of state administration of the Slovak Republic as amended, as amended by Act No. 151/2014 Coll.
- 2) Act No. 289/2008 Coll. on the use of electronic cash registers and on the amendment to Act of the Slovak National Council No. 511/1992 Coll. on administration of taxes and fees and on the changes in the system of territorial financial authorities as amended.
- 3) Article 43a(2) of Act No. 50/1976 Coll. on landscape planning and construction code (the Building Act) as amended by Act No. 237/2000 Coll.
- 4) E. g. Article 9(1) of Act No. 152/1995 Coll. of the National Council of the Slovak Republic on foodstuffs as amended, Article 12(2) and (3) of Act No. 250/2007 Coll. on consumer protection and on amendments to the Act No. 372/1990 Coll. of the Slovak National Council on offences as amended, as amended by Act No. 397/2008 Coll.
- 5) E. g. Article 23a of Act No. 431/2002 Coll. on accounting as amended.
- 6) Article 2(1) of Act No. 351/2011 Coll. on electronic communications.
- 7) Article 3 of Act No. 351/2011 Coll. as amended by Act No. 247/2015 Coll.
- 8) Act No. 492/2009 Coll. on payment services and on amendments and supplements to certain acts, as amended.
- 9) Article 476 through 488 of the Commercial Code, as amended.
- 10) Act No. 85/1990 Coll. on the right of petition as amended.
- 11) Article 2(a) of Act No. 1/2014 Coll. on the organisation of public sports events and amending and supplementing certain acts.
- 12) Article 1(4) of Act No. 1/2014 Coll.
- 13) Article 50(5) of Act No. 595/2003 Coll. on income tax, as amended.
- 14) Act No. 270/1995 Coll. of the Slovak National Council on the official language of the Slovak Republic as amended.
- 15) Article 16(4)(c) and (d) of Act No. 245/2008 Coll. on rearing and education (School Act) and on amendments and supplements to certain acts as amended.
- 16) Act No. 297/2008 Coll. on the prevention of legalisation of proceeds of criminal activity and terrorist financing and on amendments and supplements to certain acts, as amended.
- 17) E.g. the Civil Proceedings Code as amended by Act No. 87/2017 Coll., Rules of Alternative Dispute Resolution (*Civilný mimosporový poriadok*), the Administrative Procedure Code as amended by Act No. 88/2017 Coll., Article 8 of act No. 65/2001 Coll. on the administration and collection of court receivables as amended, Act No. 7/2005 Coll. on bankruptcy and restructuring and amending and supplementing certain act as amended.
- 18) Penal Code as amended.
Act No. 171/1993 Coll. of the National Council of the Slovak Republic on the Police Force as amended.
- 19) Article 19 of Act No. 215/2004 Coll. on the protection of classified information and on a change and amendment to certain acts as amended.
- 20) Article 15 of Act No. 198/1994 Coll. of the National Council of the Slovak Republic on military intelligence as amended by Act No. 440/2015 Coll.
- 21) Act No. 372/1990 Coll. of the Slovak National Council on offences, as amended. Act No. 281/2015 Coll. on civil service of professional soldiers and on amendments and supplements to certain acts, as amended.
- 22) Article 27(2) of Act No. 245/2008 Coll., as amended.
- 23) Article 113, Article 120 and Article 137(a) and (b) of Act No. 245/2008 Coll., as amended.

- 24) Article 17(1)(a) of Act No. 157/2018 Coll. on metrology and amending and supplementing certain acts.
- 25) Article 43b and Article 43c of Act No. 50/1976 Coll. as amended by Act No. 237/2000 Coll.
- 26) Article 7(3) of the Commercial Code.
- 27) Article 43c of Act No. 50/1976 Coll. as amended by Act No. 237/2000 Coll.
- 28) Article 94(2) of Act No. 440/2015 Coll. on sport and amending and supplementing certain acts.
- 29) Article 12(2)(a) and (c) of Act No. 297/2008 Coll., as amended.
- 30) Act No. 275/2006 Coll. on public information systems and on amendments to certain acts, as amended.
- 31) Article 3 of Act No. 417/2013 Coll. on social assistance benefit and amending and supplementing certain acts.
- 32) Article 3(1) of Act No. 576/2004 Coll. on healthcare, services related to the provision of healthcare, and amending and supplementing certain laws, as amended.
- 33) Article 21 of Act No. 523/2004 Coll. on budgetary rules in public administration and on amendments to certain acts, as amended.
- 34) Article 5(o) of Act No. 18/2018 Coll. on personal data protection and on amendments and supplements to certain acts.
- 35) Article 31(4) of Act No. 417/2013 Coll.
- 36) Act No. 153/2013 Coll. on the national healthcare information system and on amendments to certain acts, as amended.
- 37) Article 17(1) of Act No. 305/2013 Coll. on the electronic form of governance conducted by public authorities and on amendments and supplements to other acts (e-Government Act).
- 38) Act No. 34/2002 Coll. on foundations and amendments to the Civil Code as amended, as amended.
- 39) Article 20f through 20j of the Civil Code, as amended.
- 40) Article 23 of Act No. 431/2002 Coll., as amended.
- 41) Act No. 111/1990 Coll. on state enterprise as amended.
- 42) Act No. 145/1995 Coll. of the National Council of the Slovak Republic on the administrative fees as amended.
- 43) Article 19 of Act No. 382/2004 Coll. on experts, interpreters and translators and on amendments to certain acts, as amended by Act No. 65/2018 Coll.
- 44) Article 3(1) and (3) of Act No. 138/1992 Coll. of the Slovak National Council on authorised architects and authorised civil engineers as amended by Act No. 624/2004 Coll.
- 45) Act No. 55/2017 Coll. as amended.
- 46) Act No. 10/1996 Coll. of the National Council of the Slovak Republic on control in state administration, as amended.
- 47) Article 98a of Act No. 492/2009 Coll., as amended.
Article 41(6) of Act No. 351/2011 Coll., as amended.
- 48) Article 14(5) of Act No. 523/2004 Coll., as amended by Act No. 310/2016 Coll.
- 49) Act No. 377/1990 Coll. of the Slovak National Council on Bratislava, the capital city of the Slovak Republic, as amended.
- 50) Act No. 401/1990 Coll. of the Slovak National Council on Košice, as amended.
- 51) Article 2(2) of Act No. 171/1993 Coll. of the National Council of the Slovak Republic
Article 9(3)(x) of Act No. 652/2004 Coll. on state administration authorities in the customs and amending and supplementing certain acts.
Article 5(3)(p) of Act No. 333/2011 Coll. on governmental agencies for taxes, fees and customs

and amending and supplementing certain acts

52) Act No. 211/2000 Coll. on free access to information and on amendments to certain acts (the Freedom of Information Act), as amended.

53) E.g. Act No. 333/2011 Coll., as amended.

54) Act No. 39/1993 Coll. of the Slovak National Council on the Supreme Audit Office of the Slovak Republic as amended.

55) Act No. 307/2014 Coll. on certain measures related to reporting of anti-social behaviour and amending and supplementing certain acts as amended by Act No. 125/2016 Coll.

56) E. g. Article 17 through 20 of the Commercial Code, as amended as amended, Act No. 215/2004 Coll. as amended, Article 11 of Act No. 563/2009 Coll. as amended.

57) Article 4 of Act No. 166/2003 Coll. on the protection of privacy against the unauthorised use of technical-intelligence measures and on amendment and supplementation of certain acts (the "Anti-Wiretapping Act"), as amended.

58) Article 10 through 12 of Act No. 56/2018 Coll. on product conformity assessment, marketing of the specified product and on amendments and supplements to certain acts.

59) Article 20 of Act No. 56/2018 Coll.

60) Decree-law No. 127/2016 Coll. of the Government of the Slovak Republic on electromagnetic compatibility. Decree-law No. 193/2016 Coll. of the Government of the Slovak Republic on marketing of radio equipment.

61) Article 2(d) of the Decree-law No.127/2016 Coll. of the Government of the Slovak Republic;

62) Article 2(a) of the Decree-law No.193/2016 Coll. of the Government of the Slovak Republic;

63) Article 2(a) of the Decree-law No.148/2016 Coll. of the Government of the Slovak Republic on marketing of electric equipment designed for the use within certain voltage limits.

64) Article 4 of the Regulation (EC) No. 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No. 339/93 (OJ EU L 218, 13. 8. 2008)

65) Decree-law No. 148/2016 Coll. of the Government of the Slovak Republic, Decree-law No. 127/2016 Coll. of the Government of the Slovak Republic.

66) Article 4 of Act No. 357/2015 Coll. on financial control and audit and on amendments and supplements to certain acts.

67) Article 58(1)(f) of Act No. 455/1991 Coll. on trade licensing (Trade Licensing Act) as amended.

68) Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services (codified text) (OJ EU L 241, 17. 9. 2015).