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| **Draft Royal Decree laying down the procedures for consulting the Centrale des crédits aux particuliers (Central Register of Credits to Individuals) by the Belgian Gambling Commission and amending the provisions on the limitation of online games of chance.** |
| **PHILIPPE, King of the Belgians,****To all those present and those to come, Greetings.** |
| Having regard to Article 55/1 of the Act of 7 May 1999 on gambling, betting, gambling establishments and the protection of gamblers, inserted by the Act of 7 May 2019; |
| Having regard to the Royal Decree of 25 October 2018 on the procedures for operating games of chance and betting using Information Society services; |
| Having regard to the opinion of the Gambling Commission, issued on 20 January 2021; |
| Having regard to the opinion of the Finance Inspector, issued on 27 April 2021 and 5 July 2021; |
| Having regard to the agreement of the Secretary of State for the Budget, issued on 11 May 2021 and 15 July 2021; |
| Having regard to opinion No. 177/2021 of the Data Protection Authority, issued on 4 October 2021; |
| Having regard to the impact assessment of the regulation, conducted in accordance with Articles 6 and 7 of the Act of 15 December 2013, containing various provisions relating to administrative simplification; |
| Having regard to opinion XXX of the Council of State issued on xxxx, pursuant to Article 84(1)(1)(2) of the laws on the Council of State, consolidated on 12 January 1973;  |
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| On the proposal of the The Minister for the Economy, the Finance Minister, the Minister for Public Health, the Minister for Justice, the Minister for the Interior, and the Secretary of State for the National Lottery, and in the opinion of the Ministers who have deliberated them in the Council, |
| **IT IS HEREBY DECREED:** |
| **CHAPTER 1 — Procedures for consultation by the Gambling Commission of the Central Register of Credits to Individuals of the National Bank of Belgium** |
| Article 1 |
| The consultation of the National Bank of Belgium’s Central Register of Credits to Individuals by the Gambling Commission is motivated by the purposes referred to in Article 6(1) of the Royal Decree of 25 October 2018 on the procedures for operating games of chance and betting using Information Society services. |
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| **Article 2** |
| The National Bank of Belgium shall determine the technical procedures for the consultation of the National Bank of Belgium's Central Register of Credits to Individuals by the Gambling Commission.  |
| **Article 3**  |
| §1. The identification information of players in default of payment within the meaning of Article VII.148 of the Code of Economic Law may be shared with the National Bank of Belgium to verify whether the player is known to be in default of payment in the file in the Central Register of Credits to Individuals. |
| The identification information referred to in the first subparagraph shall include: |
| 1. the player’s national registration number, if known to the licensee;  |
| 2. if the player’s national registration number is not known to the licensee, the player’s surname, first name and date of birth. |
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| No data on recorded loans shall be provided. |
| §2. The player’s national registration number shall be used for the sole purpose of determining whether the player is known to be in default of payment in the file in the Central Register of Credits to Individuals. |
| As a result of the purposes referred to in Article 6(1) of the Royal Decree of 25 October 2018 on the procedures for operating games of chance and betting using Information Society services, the Gambling Commission is entitled to use the national registration number as a search criteria within the National Bank of Belgium's Central Register of Credits to Individuals. |
| When a request is submitted to the Gambling Commission to increase the gambling limit, licensees of Class A+, B+ or F1+ shall collect the player’s national registration number and communicate this to the Gambling Commission. |
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| **Article 4** |
| The Gambling Commission shall keep the national registration number or player identification data referred to in Article 4 for the period necessary for its monthly verification task if the authorisation to increase the gambling limit is to remain. |
| **Article 5** |
| §1. The Gambling Commission shall create log files of consultations of the National Bank of Belgium's Central Register of Credits to Individuals.  |
| These consultation log files shall be used to establish: |
| 1. the date and time of the consultation; |
| 2. the identification of the individual user or, failing that, the process or system that accessed the data; |
| 3. the type of request;  |
| 4. the purpose of the consultation. |
| §2. The National Bank of Belgium shall create log files to establish: |
| 1. the identification of the user who has accessed or received communication of the data,  |
| 2. the type of request made;  |
| 3. the date and time of the consultation or communication. |
| §3. Appropriate measures shall be adopted by the Gambling Commission and the National Bank of Belgium to ensure the security of log files and, in particular, prevent unauthorised processing and ensure the integrity of the data processed. |
| Log files shall be kept for ten years from the date of consultation. |
| The log files of the Gambling Commission shall be kept and made available to the Data Protection Authority at first request. |
| **Article 6** |
| The agents of the Secretariat of the Gambling Commission, whose role requires access to the National Bank of Belgium's Central Register of Credits to Individuals, may only have access to information that a player is in default of payment within the meaning of Article VII.148 of the Code of Economic Law and only after authentication by means of an electronic identity card, either in relation to the application of the Gambling Commission or with regard to the application of the National Bank of Belgium.  |
| The Gambling Commission shall, at first request, provide the National Bank of Belgium or the Data Protection Authority with the identity of the member of its staff who has consulted or become aware of the personal data referred to in the preceding subparagraph. |
| **Article 7** |
| The Gambling Commission shall keep the personal data consulted by the National Bank of Belgium’s Central Register of Credits to Individual for the time necessary to carry out the tasks referred to in Article 6(1) of the Royal Decree of 25 October 2018 on the procedures for operating games of chance and betting using Information Society services. |
| **Article 8** |
| The costs of consulting the National Bank of Belgium’s Central Register of Credits to Individuals shall be borne entirely by the funds of the Gambling Commission, as referred to in Article 19(2) of the Act of 7 May 1999 on gambling, betting, gambling establishments and the protection of gamblers. |
| **CHAPTER II — Amendments to the Royal Decree of 25 October 2018 on the procedures for operating games of chance and betting using Information Society services** |
| **Article 9** |
| In Article 6(1)(1)(a) of the Royal Decree of 25 October 2018 on the procedures for operating games of chance and betting using Information Society services, the number ‘500’ shall be replaced by the number ‘200’ and the words ‘on all participated games of chance and betting’ shall be repealed.  |
| **CHAPTER III – Final provisions** |
| Article 10 |
| Article 6(1)(1)(b) of the same decree shall enter into force on the same day as this decree. |
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| **Article 11** |
| The Minister for the Economy, the Finance Minister, the Minister for Public Health, the Minister for Justice, the Minister for the Interior, and the Secretary of State for the National Lottery are each responsible, as far as concerned, for the implementation of this decree. |