



Section I. General provisions

GOVERNING COUNCIL

5031

Decree 43/2019 of 24 May 2019 adopting the Regulation of gaming machines, businesses and establishments intended for their operation and other provisions on gaming of the autonomous community of the Balearic Islands

Article 30.29 of the Statute of Autonomy of the Balearic Islands, according to the wording provided in Organic Law 1/2007 of 28 February 2007 reforming the Statute, gives the Autonomous Community of the Balearic Islands exclusive competence over casinos, gaming and betting, with the exception of the Spanish pools (Apuestas Mutuas Deportivo-Benéficas, AMDB). Furthermore, Article 30.12 gives the Autonomous Community of the Balearic Islands powers relating to the promotion of sporting activity and the appropriate use of leisure time.

By virtue of Royal Decree 123/1995 of 27 January 1995, the central government functions and services relating to casinos, gaming and betting are transferred to the Autonomous Community of the Balearic Islands.

The scope of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market excludes gambling activities which involve wagering a stake with pecuniary value in games of chance, including lotteries, gambling in casinos and betting transactions, in consideration of the specific nature of these activities, which entail implementation by the State of policies relating to public policy and collective consumer protection.

Law 20/2013 of 9 December 2013 guaranteeing market unity establishes a series of principles on the free access to and provision of services, which are to be applied to any economic activity undertaken within the country.

The licensing system contained in this Regulation may affect the principle of necessity and proportionality of the actions covered by Article 5 of Law 20/2013, even though said Article establishes the exceptional nature of such intervention where justified by any of the overriding reasons relating to the public interest provided for in Article 3.11 of Law 17/2009 of 23 November 2009 on the free access to and provision of services, such as public order, public safety, public health, collective consumer health and safety, protection of the environment and urban areas, and combating fraud.

Decree 24/2015 of 7 August 2015 of the Presidency of the Balearic Islands setting out the competencies and basic organic structure of the regional ministries of the government of the Autonomous Community of the Balearic Islands, grants the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry confidence over casinos, gaming and betting.

Law 8/2014 of 1 August 2014 on gaming and betting in the Balearic Islands was approved in accordance with statutory powers and entered into force on 8 August 2014, thereby filling a regulatory lacuna previously present in the sector.

Article 13 of Law 8/2014 of 1 August 2014, regulating gaming machines, classifies gaming machines into separate categories, B, C and D, which fall within its scope, and excludes A-type gaming machines, while also establishing a number of limitations in relation to the locations where the gaming machines of the types falling within its scope can be installed, in contrast with the applicable legislation.

Article 6 establishes that the General Gaming Register of the Balearic Islands, as a tool to advertise and control activities associated with gambling and betting, must collect a series of compulsory details, and that its organisation and operation must be regulated by Law. Registration is mandatory and is an essential requirement to carry out gaming or betting activities in the Balearic Islands.

Law 8/2014 makes no provisions in relation to type approvals and certificates issued by authorised laboratories concerning gaming and betting machines and material, which is why reference must be made to state legislation; however, the second additional provision establishes that type approvals and certificates issued by authorised laboratories and validated by the competent bodies of the State or other autonomous communities in relation to the granting of authorisations and permits within the autonomous regions can be applicable within the Balearic Islands autonomous community. In light of the above, it is essential to regulate the requirements and conditions applicable within the territory of the Balearic Islands autonomous community.

Thus, this Regulation aims to merge all the current scattered rules in this area into one regulatory instrument, to adapt them to the provisions contained in Law 8/2018 of 1 August 2018 and to regulate certain aspects which the Balearic Islands Autonomous Community, in spite of having exclusive jurisdiction on gaming, has yet to regulate, with the need to refer to State legislation, which remains completely obsolete and in many cases is in conflict with the current Law 8/2014.





Currently, the applicable Balearic legislation does not regulate the General Gaming Register of the Balearic Islands nor the conditions gaming organisations must comply with to be authorised, hence the need to refer to the Royal Decree 2110/1998 of 2 October 1998, approving the Recreational and Gambling Machines Regulation, in accordance with Decree 150/2002.

On the other hand, in relation to recreational machines, the current autonomous legislation does not provide for the commissioning and definitive decommissioning of gaming machines. As a consequence, reference must be made, once more, to the regulations set out in the State legislation, notably Ministerial Order of 25 July 1990 laying down the Recreational and Gambling Machines Regulations, approved by Royal Decree 593/1990, which, in its eighth paragraph, regulates the commissioning and definitive decommissioning of the machines; as well as Royal Decree 2110/1998 of 2 October, approving the Recreational and Gambling Machines Regulation.

Thus, from the entry into force of this Regulation, which provides for all these instances, it will no longer be necessary to refer to said State regulation.

The present Regulation also aims to regulate the notion of verified swap, which includes the commissioning and definitive decommissioning of a machine of the same type in order to avoid imposing additional restrictions on operators in the Autonomous Community of the Balearic Islands and the other autonomous communities, in compliance with Law 20/2013 of 9 December 2013, guaranteeing market unity.

The Regulation also aims to afford greater legal security to establishment owners and game operators by setting up a new administrative authorisation system for the installation and commissioning of gaming machines.

In addition to the Regulation approved in the single article, the content of which is described below, the Decree includes three additional provisions, three transitional provisions, one repealing provision and two final provisions. The Regulation comprises five titles and 67 articles.

Title I contains the general provisions (Articles 1 to 3, inclusive).

Title II lays down the rules governing the General Register of Gaming and Gaming Companies, as well as the securities (Articles 4 to 9, inclusive).

Title III regulates gaming machines, and comprises two chapters (Articles 10 to 32, inclusive).

Title IV regulates the approval of models, games and gaming material, and comprises two chapters (Articles 33 to 45, inclusive).

Title V relates to the identification, operation and installation of gaming machines, and comprises two chapters (Articles 46 to 55, inclusive).

Title VI regulates the installation procedure, and comprises two chapters (Articles 56 to 64, inclusive).

Lastly, Title VII regulates prohibitions, inspections and sanctions (Articles 65 to 67, inclusive).

This regulatory provision meets the principles for sound regulation set out in Article 129.1 of Law 39/2015 of 1 October 2015 on Common Administrative Procedures in Public Administration. In relation to the principles of necessity and effectiveness, the Regulation remedies faults in the current rules and provides comprehensive regulation of the administrative authorisation procedure for the installation of recreational machines. For the first time in this autonomous community, it regulates the General Gaming Register, accredited laboratories and the approval of gaming machines.

In relation to the proportionality principle, the Regulation is also proportionate to the complexity of the matter. In relation to the legal security principle, this Decree is in line with and develops the foundations previously established in Law 8/2014 of 1 August 2014, on gaming and betting in the Balearic Islands, and makes it possible to consolidate into one text the scattered autonomous community rules regulating the subject matter.

The Decree also complies with the principle of transparency, given it was submitted to prior public consultation to allow the community to participate in drafting the Regulation; on 16 May 2018 this was presented to the Balearic Islands Gaming Commission, established by Decree 48/2014 of 28 November 2014, and was the object of the corresponding public disclosure and hearing procedures.

In addition, the Decree is also in line with the principle of efficiency, as it does not impose a greater administrative burden on industry operators.

The text has been subjected to the information procedure in the area of technical rules and regulations related to information society services provided in Directive 2015/1535/EC of the European Parliament and of the Council of 9 September 2015, establishing an information procedure in the area of technical rules and regulations with relation to information society services, and in Royal Decree 1337/1999 of 31 July, regulating the referral of information in the area of technical rules and regulations and regulations related to information society services.

On 25 February 2019, the Economic and Social Council of the Balearic Islands delivered Opinion No 5/2019, on the draft Decree.





On account of the foregoing, at the behest of the Regional Minister for Employment, Trade and Industry, in accordance with the opinion of the Advisory Committee of the Balearic Islands and following deliberation by the Governing Council at its sitting of 24 May 2019.

DECREE

Single Article

Approval of the Regulation of Gaming Machines, Companies and Establishments, and other rules on gaming.

The Regulations governing Gaming Machines, Companies and Establishments, and other rules on gaming, the text of which appears hereunder, are approved.

First additional provision.

Recognition of testing laboratories authorised by other public administrations.

Laboratories testing recreational machines with programmed prizes and gambling machines, as well as betting machines and gaming and betting material authorised by other Public Administrations shall be recognised by the Regional Ministry of Employment, Trade and Industry provided it is proven that the safety, compliance and suitability requirements are equivalent to those applicable in the Autonomous Community of the Balearic Islands in accordance with that set out in this Regulation.

Second additional provision.

Other accreditations

The Regional Minister of Employment, Trade and Industry shall accept the accreditation of testing laboratories granted by other national or international accrediting bodies other than the National Accreditation Authority (ENAC), provided it is demonstrated that they guarantee safety, compliance and suitability requirements equivalent to those set out in this Regulation.

First transitional provision.

Entities recognised as testing laboratories of recreational and betting machines and of gaming and betting material by the Autonomous Community of the Balearic Islands before entry into force of this Regulation.

The entities recognised as testing laboratories of recreational and gambling machines, betting machines, and gaming and betting material by the Autonomous Community of the Balearic Islands before the entry into force of this Regulation shall be deemed authorised for the purposes of this Regulation in respect of the gaming and betting material having been the object of verification.

Said authorisations shall be valid for a period of ten years from the date of entry into force of this Regulation. The renewal of the authorisation shall be subject to the provisions of Article 44 of this Regulation, as well as to any additional requirements set forth herein.

Second transitional provision.

Procedures in progress

The procedures under way at the time this Regulation enters into force shall continue to be processed in accordance with the regulations in force at the time of submission of the application.

Third transitional provision

Current installation permits in hospitality establishments and status reports

1. Permits for the installation of machines in hospitality establishments current at the time of entry into force of this Regulation and valid for five years shall be deemed to have been issued jointly to the person or entity owning the establishment and the operating company, unless either party challenges it in writing within dos months of the entry into force of said Regulation.
2. Where no challenges are received, the installation permits and placement compliance documents shall be issued automatically in line with the current status of the establishment.
3. Should one of the parties lodge a challenge within the time frame stated above, the existing installation permits shall remain current until their original expiration date; however, no amendments to these, nor shall placement notices be accepted.

In this case, the status reports current at the time of entry into force of this Regulation shall lapse on the date of expiration of the installation permit.



**Fourth transitional provision****Manufacturing companies**

Manufacturers of models of gaming machines and gaming equipment registered in the General Register of the Game of the Balearic Islands when this Regulation enters into force shall be deemed authorised for the marketing, distribution and import within the Autonomous Community of the Balearic Islands of these models until the end of the registration period.

The renewal shall be in accordance with Article 5.8 of this Regulation.

Sole repealing provision**Provisions to be repealed**

All provisions of a similar or lesser scope which oppose the provisions of this Decree are hereby repealed, notably:

- Decree 19/2006 of 10 March 2006, governing certain aspects of the legal framework applicable to the installation of gaming machines;
- Decree 43/2012, of 25 May 2012, regulating various aspects associated with recreational gaming machines, recreational gaming arcades and bingo halls;
- Decree 103/2006, of 1 December 2006, on the technical specifications of type B gaming machines;
- Decree 132/2001, of 30 November, on Regulating measures on gaming;
- Decree 150/2002, of 20 November 2002, laying down additional provisions on gaming.

First final provision.**Implementation provisions**

The Regional Minister of Employment, Trade and Industry may establish any provisions necessary to enforce this Regulation, notably to regulate public access to the data contained in the Balearic Islands General Gaming Register, in accordance with Organic Law 3/2018 of 5 December 2018, on protecting personal data and guaranteeing digital rights.

Second final provision.**Authorisation of the Regional Minister**

The Regional Minister for Labour, Trade and Industry is authorised to amend, by means of a resolution, Annexes 1 to 21 of these Regulation.

Third final provision**Entry into force**

This Decree shall enter into force on the day following its publication in the *Official Gazette of the Balearic Islands*.

Palma, 24 May 2019

**The Regional Minister for Labour, Trade and
Industry**

Iago Negueruela Vázquez

The President

Francesca Lluch Armengol i Socias





Regulation on gaming machines, businesses and establishments intended for their operation and other provisions on gaming of the Autonomous Community of the Balearic Islands

**TITLE I
GENERAL PROVISIONS**

**Article 1.
Purpose**

This Regulation aims to regulate, within the territory of the Autonomous Community of the Balearic Islands, the General Gaming Register, the laboratories or entities authorised to approve gaming and betting material, games played using gaming machines and their management, the individuals and associated economic activities, as well as the establishments authorised to install them.

**Article 2.
Definition of gaming machines**

Gaming, leisure and betting machines are considered to be the manual or automatic, electronic or computer apparatus or instruments that allow the use in exchange for a previously authorised price in money or other equivalent means of payment, in order to obtain a prize in coins or another type, based on the bet, the ability of the player or both circumstances.

**Article 3.
Exclusions**

The provisions of this Regulation shall not apply to:

1. Vending machines, meaning machines that are merely intended for the mechanical sale of goods and products, provided that the amount of money deposited in the machines is equal to the market value of the delivered products, as well as (video) jukeboxes and machines or equipment for purely competitive or sporting purposes in which the game is played without the direct support of electronic components;
2. Type A or recreational machines, meaning the following:
 - a) Machines that, in exchange for a price, offer the player use time, with no prize or reward in the form of cash, in kind or as redeemable points, excluding the option to continue to play for the same initial amount;
 - b) So-called virtual reality, simulation, and similar recreational machines, provided that the user takes part in playing the games;
 - c) Machines for purely competitive or sporting purposes, the electronic components of which have no decisive impact on the game;
 - d) Recreational games with no prize, played using computers and other computer aids, such as video games and other recreational gaming computer programmes, played in locations open to the public, operated for profit against payment of a price, which are installed either in the internal memory of the personal computer or other computer aid, or on a local area network, or other external, analogue or telecommunication computer networks, without prejudice to that set out in intellectual property regulations.
3. Type D machines, known as machines with programmed cash prizes. This group comprises so-called claw cranes and other vending machines that include an additional gaming component.

**TITLE II
GENERAL GAMING REGISTER, GAMING COMPANIES AND GUARANTEE FRAMEWORK**

**Article 4.
On the General Gaming Register and its structure**

1. The General Gaming Register, as an instrument to advertise and supervise activities relating to gaming and betting, is managed by the DIRECTORATE-GENERAL of Trade and Enterprise and collects information pertaining to:
 - a) the natural or legal persons who operate or organise any game or bet, and who manufacture, import, market, distribute or service the machines or any other gaming-related material;
 - b) banned persons;
 - c) licensed gaming and betting establishments;
 - d) gaming machines, models, interconnection systems, identification and installation data and operating permits.



2. The Register shall be supported by a computer system and shall include the following sections:

Section I. Models of gaming and betting machines and gaming and betting material.

Section II. Interconnections.

Section III. Companies that manufacture gaming machines and gaming and betting material.

Section IV. Companies that market and distribute gaming machines and gaming material, and technical services.

Section V. Companies that operate gaming machines.

Section VI. Companies involved in bet organisation and operations.

Section VII. Companies dedicated to operating gaming arcades.

Section VIII. Companies providing interconnection services.

Section IX. Authorised gaming arcade establishments.

Section X. Authorised casino establishments.

Section XI. Authorised bingo establishments.

Section XII. Authorised specific betting establishments.

Section XIII. Prohibited persons.

Section XIV. Accredited laboratories.

Section XV. Hospitality establishments.

Article 5.

On gaming companies and their registration

1. The companies whose purpose is to manage and operate gaming machines, and to manufacture, market and distribute gaming and betting machines, and gaming and betting material, and in general any gaming company not subject to specific regulations, must obtain an administrative authorisation before starting their activities.

2. The Directorate-General of Trade and Enterprise shall automatically enter the company in the General Gaming Register of the Balearic Islands Autonomous Community once the corresponding administrative authorisation is issued to carry out any of the activities listed in Article 1 of Law 8/2014 of 1 August 2014 on gaming and betting in the Balearic Islands.

3. For the purposes of this Regulation, the following definitions apply:

a) Manufacturing companies are all natural persons or business entities who are duly authorised in the terms established in this Regulation and have the goal of manufacturing or importing gaming machines or gaming material.

Importing gaming machines or material must be adjusted to the revisions in the general legislation on external trade.

The manufacture, marketing and distribution of gaming and betting machines must abide by the provisions of this Regulation, implementation provisions and other current general standards.

b) Machine operating companies are all natural or legal persons who are duly authorised and have the goal of operating type B and C gaming machines.

c) Arcade owners are all those natural or legal persons that are duly authorised, whose objective is the operation of said establishments.

d) Marketing and distributing companies are all natural and legal persons who are duly authorised and whose function is to purchase, sale and distribute gaming machines or other gaming material.

e) Technical service companies are all natural and legal persons who are duly authorised and conduct repair and maintenance tasks on gaming machines or other gaming material.

f) Companies providing interconnection services are all natural and legal persons who are duly authorised and conduct interconnection services between gaming premises.

5. The owners of gaming casinos and gaming arcades that are duly authorised and conduct the direct operation of machines installed there shall be considered operating companies of the machines for all purposes, and shall be obligated to provide the security considered in this Regulation.

6. The companies listed in paragraph 1 shall lodge their applications to carry out activities with the Regional Ministry of Employment, Trade and Industry using the standard form available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex I.

7. The application may be submitted at any of the registrars of the Autonomous Community of the Balearic Islands or central government, or at any of the places provided for in Article 16.4 of Law 39/2015 of 1 October 2015 on the shared administrative procedure for public authorities. The application shall be accompanied by the following documentation:



a) Copy of the National Identity Card (DNI), if the applicant is a natural person and photocopy of the tax ID number (CIF) if the applicant is a business entity in addition to including the photocopy of the National Identity Card or the equivalent document of its administrators or managers in this case.

Documents equivalent to the ones above may be submitted, whether national or issued by an EU Member State.

b) A clear criminal record certificate or permission for the Directorate-General of Trade and Enterprise to obtain said information.

c) In the event that these are business entities, a copy of the letter of constitution and of the later amendments, with the identification of the members, the number of shares or participation share and representation powers.

d) Proof of being up to date in the payment of the tax on Economic Activities or corresponding census registration for its activity.

e) Certificate showing that the company is up to date with its tax obligations and with Social Security, or else to authorise the Directorate-General of Trade and Enterprise to perform relevant enquiries.

f) Certificates of registration of the company and of contribution, if applicable, of the workers in the corresponding Social Security scheme.

g) Proof of payment of the corresponding administrative fee.

h) Proof the required security has been provided in the amount and manner set out herein.

8. The authorisation shall be granted for a maximum of ten years and may be renewed for the same amount of time, provided the requirements imposed by the legislation in force at the time of application for renewal are met, and provided the application is lodged in the three months preceding the expiration date of the authorisation. The renewal application must be lodged in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex II, and must be accompanied by the following documentation:

a) A clear criminal record certificate or permission for the Directorate-General of Trade and Enterprise to obtain said information.

b) In the event that these are business entities, a copy of the letter of constitution and of the later amendments, with the identification of the members, the number of shares or participation share and representation powers.

c) Proof of being up to date in the payment of the tax on Economic Activities or corresponding census registration for its activity.

d) Certificate showing that the company is up to date with the tax obligations to the Autonomous Community of the Balearic Islands.

e) Certificates of registration of the company and of contribution, if applicable, of the workers in the corresponding Social Security scheme.

f) Proof of payment of the corresponding administrative fee.

g) Proof the required security has been provided in the amount and manner set out herein.

9. Failure to apply for renewal or to apply for renewal within the prescribed time at the end of the validity period of the authorisation shall lead to the authorisation lapsing following completion of the related proceedings.

10. The maximum period for issuing and notifying the resolution is three months from the date of entry of the application into any of the registers listed in Article 16.4 of Law 39/2015. Where the administrative authority does not notify its decision within this time, the application shall be deemed to have been rejected.

11. Any modification of the data contained in the authorisation must be communicated to the Directorate-General of Trade and Enterprise within a maximum period of three months from the date on which they took place. If they are not notified within this period, penalty proceedings shall be initiated pursuant to Article 29(e) of Law 8/2014, of 1 August. In any event, the change of ownership requires prior administrative authorisation.

Article 6.

Registration validity and cancellation

1. Registrations in Sections III, IV, V, VI, VII, VIII, IX, X, XI, XII and XIV shall be valid for the time set out in the corresponding resolutions.

2. Registrations in Sections I, II and XIII shall not be limited in time, without prejudice to any amendments which may be requested during their validity. In concrete terms, amendments pertaining to Sections I and II shall be processed in accordance with Articles 24, 29 and 36 of this Regulation.

3. Registrations in Section I shall be deleted in accordance with the provisions set out in Article 38 of this Regulation.

4. Registrations in the remaining Sections shall be deleted, in all circumstances, due to the following:

a) At the request of the relevant party or person or entity holding authorisation.

b) Due to changes in any of the circumstances required for registration without an express authorisation.



- c) As a result of a sanction mechanism.
- d) If any inaccuracies are found in any of the information included in the authorisation application aimed at eluding administrative control. If this is an essential requirement, the ex officio review procedure must be dealt with in advance.
- e) Due to non-compliance with the obligations relating to the provision and maintenance of the security deposits.

Article 7.

Security deposits

1. The persons or entities that own gaming arcades and operate their own machines, and the persons or entities that operate machines shall provide a security deposit in favour of the government of the Autonomous Community of the Balearic Islands, for the amount set out in Article 9, to be deposited with the Directorate General of the Treasury, Financial Policy and Assets.
2. The security may be provided as cash, guarantees or surety insurance. Guarantees or surety insurance are subject to the terms set out in the Article below.
3. The security deposit shall cover any financial liabilities that the company incurs as a result of this Regulation, and in accordance with the obligations set out in Article 18 of Law 8/2014.
4. The security deposit shall be kept up to date to ensure it covers the maximum sum payable. If the value of the deposit is reduced, the person required to provide the deposit shall have two months to restore the value of the deposit to the required sum. Failure to restore the deposit shall result in removal of the related entry and withdrawal of the license granted.
5. A deposit may only be withdrawn once the reasons for which it was provided no longer apply, subject to completion of any administrative proceedings that may entail pecuniary obligations.
6. In the event of guarantees or surety insurance, in order to check the representation, the legal services of the Autonomous Community of the Balearic Islands shall previously and once only check the powers, with the guarantee or surety insurance certificate, making reference to this requirement having been fulfilled.

Article 8.

Guarantee and surety

1. If the holders of the authorisations referred to in Article 7 choose to provide a guarantee, for the purposes of this Regulation said guarantees shall meet the following requirements:
 - 1.1. In order to be accepted as security deposits, the guarantees must be issued by a bank, savings bank, credit cooperative, financial credit institution or mutual guarantee society meeting the following requirements:
 - a) Having a current official administrative licence to operate in Spain.
 - b) Being registered in the Official Credit Entity Register of the Bank of Spain.
 - c) Not being in arrears with the government of the Autonomous Community of the Balearic Islands or its Public Sector bodies as a result of non-payment of sums payable as a result of execution of existing guarantees. For this purpose, the Directorate General of the Treasury, Financial Policy and Assets may reject guarantees issued by entities owing the value of executed guarantees after the expiry date set out in the General Tax Law for debts during the voluntary payment period. Disclosure of such late-payment status shall require prior contradictory proceedings, in which the underwriting entity shall be heard.
 - d) Not having entered into an arrangement with creditors.Compliance with these requirements must be certified in the guarantee documentation.
 - 1.2. The guarantees must fulfil the following requirements:
 - a) They must create joint liability with respect to the primary obligation, with the guarantor waiving the right to object to execution and to several liability.
 - b) Must be payable upon first demand, which entails a waiver by the guarantor of the defence of prior recourse and the ability of the Directorate-General of the Treasury, Financial Policy and Assets to demand direct payment of the debt, with no need for a prior demand on the primary obligation and including where the primary obligor objects.
 - c) Must be current as of the date of issue and until the Directorate-General of the Treasury, Financial Policy and Assets returns the guarantee document.
 - d) The guarantees must be signed by representatives of the entity with sufficient powers to bind said entity. Representation must be



checked by the legal services of the Autonomous Community of the Balearic Islands.

2. If the holders of the authorisations referred to in Article 7 choose to take out a surety insurance policy, for the purposes of this Regulation said policies shall meet the following requirements:

2.1. The surety insurance must be issued by an insurer authorised to operate in Spain in the field of surety insurance.

2.2. Insurers authorised to operate in Spain must also satisfy the following requirements:

2.2.1. Not being in arrears with the government of the Autonomous Community of the Balearic Islands or its Public Sector bodies as a result of non-payment of sums payable as a result of execution of prior surety insurance. For this purpose, the Directorate General of the Treasury, Financial Policy and Assets may reject surety insurance issued by entities owing the value corresponding to surety contracts after the expiry date set out in the General Tax Law for debts during the voluntary payment period.

2.2.2. Not having entered into an arrangement with creditors.

2.2.3. Not having had the administrative authorisation to exercise this business suspended or withdrawn.

2.2.4. Not being subject to any special control measure.

Compliance with these requirements shall be demonstrated in the surety insurance referred to in point 4 of this Article.

2.3. The surety insurance policy shall have the following characteristics:

2.3.1. The persons depositing the guarantee shall be the policyholder, and the government of the Autonomous Community of the Balearic Islands shall be the insured party.

2.3.2. The following shall be specified:

- a) That the insurer undertakes joint liability, which entails a waiver of the right to object to execution and of several liability;
- b) That the insurer undertakes to pay at the first demand of the Directorate-General of the Treasury, Financial Policy and Assets, which entails the waiver of the defence of first recourse, irrespective of the objection of the policyholder;
- c) That the insurer shall not claim any exceptions it may have in relation to the policyholder against the insured party;
- d) That any failure to pay the premium, be it the sole, first or any subsequent premium, shall not entitle the insurer to cancel the policy, said policy shall not be terminated, the coverage provided by the insurer shall not be suspended and the insurer shall not be released from its obligation if the insurer is required to make good on the guarantee;
- e) That the surety insurance shall have an indefinite term and that it shall remain valid until the Directorate-General of the Treasury, Financial Policy and Assets of the Balearic Islands returns the certificate referred to in point 4.

2.4. The guarantee shall be provided in the form of an individual certificate, having the same scope and guarantees as those resulting from the insurance policy. The certificate shall be signed by representatives of the entity with powers to bind said entity.

This representation shall be checked by the legal services of the Autonomous Community of the Balearic Islands before the guarantee is registered.

Article 9.

Value of security

1. Companies owning gaming arcades which operate their own machines and companies operating machines must provide a security deposit as provided for in the preceding articles, the value of which must be kept up to date based on the number of current operating authorisations:

- a) Up to 50 machines: EUR 30 000;
- b) Up to 100 machines: EUR 60 000;
- c) Up to 200 machines: EUR 120 000;
- d) Up to 300 machines: EUR 180 000;
- e) Up to 1000 machines: EUR 600 000;
- f) Over 1000 machines: An additional EUR 60 000 for every 100 machines or part thereof.



2. Gaming casinos shall not be required to provide a guarantee as set out above, provided the resulting amount does not exceed that value set in Article 14.1 of Decree 41/2017 of 25 August 2017 approving the Autonomous Community of the Balearic Islands Casino Regulation. Otherwise, the value of the deposit to be provided shall be equal to the difference of the two amounts.

TITLE III

On the gaming machines

Chapter I

Definitions and rules for machines

Article 10.

Gaming machine classifications

1. Gaming machines are classified into:

- a) Arcade machines with a prize or type B.
- b) Betting machines or type C.

2. Gaming machines could be for one player or multi-user. Machines are multi-user if they combine the technical characteristics for each type of machine, have several player positions and offer the possibility of simultaneous participation in the game. These machines are included in the one operating authorisation.

Multi-user machines can adopt different installation configurations, which must be specified in the approval certificate for the model, and must in each case contain a main game which will be common to all gamers or a common prize or prize fund.

The type B multi-user machines shall not incorporate more than 14 player positions.

3. The gaming machines can be the subject of interconnection in the terms and conditions set out by this Regulation.

4. For the purposes of this Regulation, multi-user machines shall be considered those that, meeting the technical characteristics of each type of machine, and making up a single machine, allow the installation of several different games onto it. Each of these games shall be approved previously as part of the model approval process.

Article 11.

General prohibitions

The following gaming machines may not be approved and operated:

- a) Machines the operation of which includes images, messages or objects which may compromise the development of children and young people, or entails performing or displaying activities which may in any way be inappropriate;
- b) Machines which incite or justify violence or criminal activities, any type of discrimination and, notably, containing racist, sexist or pornographic elements;
- c) In general, machines that convey messages in contrast with the rights enshrined in the Spanish constitution and laws.

Article 12.

Definition of Type B or recreational machines issuing prizes

1. Type “B” gaming machines or arcade machines issuing a prize, hereinafter “type B”, are those machines which, in exchange for the price of a round or game, allow the user a time of use or play and, possibly, a cash prize, in accordance with the game programme.

2. Type B or recreational machines are classified into the following sub-types:

- a) Type B1 or arcade machines with a prize: those that grant the user playing time in exchange for the price of the round and, possibly, a cash prize, limited in accordance with an authorised prize plan and minimum percentage of return.
- b) Machines of the B2 type or exclusive to arcades, bingo halls and casinos: those providing the potential to offer cash prizes of higher value than type B1 machines.
- c) Machines of the B3 type or exclusive to gaming arcades: those which, in accordance with the requirements and terms and conditions set out herein grant playing time and, possibly and in accordance with the previously set prize programme, a cash prize of a higher value than types B1 and B2 machines.



d) Type B4 machines, exclusive to bingo halls: those which, in accordance with the requirements and technical specifications set out herein, possibly grant cash prizes proportionate to the overall bet amount of players, or in accordance with the previously set prize programme.

3. The requirements, technical specifications and prizes of these gaming machines are included in the following articles of this Regulation.

4. The games may be played and prizes collected by the players by means of any collection or payment method legally authorised under current legislation, subject to the prior authorisation of the Directorate General of Trade and Enterprise. The machines may be equipped with wallets suitable to accept coins or notes of legal tender, as well as with other duly authorised aids or devices for electronic or telematic payment and collection.

Article 13.

Games offered by type B gaming machines

Type B gaming machines may be registered when they comply with the requirements established in Articles 14 et seq. of this Regulation and offer games saved on their own memory and internal programming. Those machines may contain up to 50 accredited games.

Article 14.

Technical requirements of type B gaming machines

To be approved and entered in the corresponding register, in addition to the specific requirements for each subtype, type B gaming machines must also comply with all of the following requirements:

1. In order to start the game the player must activate the start button or lever. If this is not done within five seconds, the game can start automatically.
2. The machine must have a blocking mechanism to prevent the price of the game from being inserted whenever the payment reserve does not contain enough money to pay out any of the programmed prizes. In this case, the machines must automatically return the money inserted.
3. They must display the following statements in a clearly visible manner:
 - a) The fact that children under 18 are banned from playing;
 - b) Compulsive gaming is harmful to your health and may lead to a gaming addiction;
 - c) The rules of the game, a description of the winning combinations, the value of the prize corresponding to each of these combinations, the minimum pay-out percentage and the machine category.
4. The inability to alter or manipulate the electronic memory of the machine that decides the game.
5. They shall have a stand-alone energy source that preserves the memory in the event of disconnection or a power cut, and allows the program to be restarted at the same point as before the disconnection.
6. If the game is played using a screen or similar physical device, controlled by a video or similar signal, the information concerning the description of the winning combinations and winning plans may be presented on said physical device.

Article 15.

Specific requirements of type B1 gaming machines.

In addition, each type B1 gaming machine must comply with the following requirements:

- a) The maximum price of the game shall be EUR 0.20, without prejudice to the option of simultaneously playing a cumulative number of rounds not exceeding the combined total of EUR 1.
- b) The maximum prize these machines may pay out shall be EUR 500.
- c) The game program may not bring about any sequence or linking of prizes that might lead to the award of an amount of money greater than the established maximum prize.
- d) Each type B1 machine must be programmed and operated to return, in every cycle of 40 000 consecutive games, a prize percentage of at least 70 % of the price of the games played. Cycle shall mean the group of consecutive games that the game program shall establish to pay the prize-return percentage.
- e) The average duration of each play shall not be less than three seconds, and it must not be possible to complete more than 600 hundred plays in a 30-minute period. In terms of duration, simultaneous games shall be counted as a single game.
- f) The machines may not be equipped with any type of sound device when not in operation aimed at calling or attracting the attention of people.
- g) The machines must incorporate the meters and safety/security devices covered by Articles 31 and 32 of this Regulation.

**Article 16.****Specific requirements of type B2 gaming machines or special requirements for gaming arcades, bingo halls and casinos**

In addition to the general requirements laid down in Article 14, each type B2 gaming machine model shall also comply with the following:

- a) The maximum price of the game shall be EUR 0.20, without prejudice to the option of simultaneously playing a cumulative number of rounds not exceeding the combined total of EUR 1.
- b) The maximum prize these machines may pay out shall be EUR 1000;
- c) The game programme may not bring about any sequence or linking of prizes that might lead to the award of an amount of money greater than the established maximum prize;
- d) Each machine must be programmed and operated to return, in every cycle of 40 000 consecutive games, a prize percentage of at least 70 % of the price of the games played;
- e) Cycle shall mean the group of consecutive games that the game program shall establish to pay the prize-return percentage;
- f) The average duration of each play shall not be less than three seconds, and it must not be possible to complete more than 600 hundred plays in a 30-minute period.
- g) In terms of duration, simultaneous games shall be counted as a single game.
- h) Sound devices may be installed on the machines;
- i) The machines must incorporate the meters and safety/security devices covered by Articles 31 and 32 of this Regulation.

Article 17.**Specific requirements of type B3 gaming machines or machines exclusive to gaming arcades**

In addition to the general requirements laid down in Article 14, each type B3 gaming machine model shall also comply with the following:

- a) The maximum price of the game shall be EUR 0.20, without prejudice to the option of simultaneously playing a cumulative number of rounds not exceeding the combined total of EUR 3.
- b) The maximum prize these machines may pay out shall be EUR 3000.
- c) The game programme may not bring about any sequence or linking of prizes that might lead to the award of an amount of money greater than the established maximum prize.
- d) Each type B3 machine must be programmed and operated to return, in every cycle of 120 000 consecutive games, a prize percentage of at least 80 % of the price of the games played.
- e) The average duration of each play shall not be less than three seconds, and it must not be possible to complete more than 600 hundred plays in a 30-minute period.
- f) Sound devices may be installed on the machines;
- g) The machines must incorporate the meters and safety/security devices covered by Articles 31 and 32 of this Regulation;
- h) Type B3 machines exclusive to gaming arcades may not include the game of bingo in its different variants.

Article 18.**Specific requirements of type B4 gaming machines or machines exclusive to bingo halls**

1. In addition to the general requirements laid down in Article 14, each type B4 gaming machine model shall also comply with the following:

- a) The maximum price of the game shall be EUR 0.20, without prejudice to the option of simultaneously playing a cumulative number of rounds not exceeding the combined total of EUR 6;
- b) The maximum prize these machines may pay out shall be EUR 6000;
- c) Bets may be placed and prizes collected by users using prepay electronic cards authorised by the competent body;
- d) The average duration of each play shall not be less than three seconds, and it must not be possible to complete more than 600 plays in a 30-minute period. In terms of duration, simultaneous games shall be counted as a single game;
- e) Each machine will return a percentage greater than 80 % of the total bets placed, in accordance with the game statistics arising from all the possible combinations;
- f) The machine will allow the player to play the game of bingo in a computerised fashion with no intervention by the bingo hall staff;
- g) Under no circumstances may the gaming machine issue cards or physical mediums for the game implemented in the machine for external use by the player;
- h) Games must be provided by means of screens controlled by video signals or similar systems;
- i) Bingo machines may have a device that enables the "extra ball" option, in which players who wish to do so may wager the existing credits in the machine or insert additional money to purchase the extra ball. The "extra ball" option will be permitted provided that it does not alter the machine's pay-out percentage, nor exceed the maximum prize, and provided that the player is duly informed of the cost of each "extra ball". In each play, no more than 15 "extra balls" may be purchased;



j) These machines may only have one prize and credit counter, so that the player may at any time retrieve the accrued amount.

2. The IT system must include the following elements and functionalities:

a) A group server that establishes continuous communication with the occupied terminal screens regarding the bets placed and the prizes won.

b) A communications server that channels and guarantees the exchange of information between the group server and the central server.

c) A central server that stores all of the data on bets placed and prizes won, and which must process and generate statistics and reports on the number of games played, the sums bet, and the winning combinations provided, with date and time information.

d) A computerised cash register system with a cash register terminal that debits from the aids suitable for collection and payment, or from any other aid that is duly authorised by the competent body, the amounts sought by players and indicates its final balance or credit for its payment. To this end, it shall feature a computer program that controls and manages all the financial transactions made.

e) A verification system that checks whether the whole system is working properly every day, before the start of each session at the hall. If, during play, malfunctions or faults are detected in the server, play will be interrupted and the players will be refunded the amounts wagered. Before the system is restarted, checks will be performed to verify the system and all the machines are operating properly.

Should a machine be affected by a fault which prevents proper operation and which cannot be repaired instantly, it will be disconnected immediately and a sign will be posted indicating the issue.

f) Meters fulfilling the same functions as provided for in this Regulation must be provided. However, the company that owns or runs the bingo hall may implement an information system in the server on the premises that has been approved by an authorised testing laboratory and that is connected to all of the machines or terminals in the hall in order to record all of the general functionalities required.

Article 19.

Optional devices of type B gaming machines

1. Type B gaming machines that satisfy the requirements set out in the preceding articles may incorporate any of the following devices, provided that they are recorded in the related approval:

a) Devices that allow players to choose to bet their winnings, provided that the game programme guarantees the prizes and pay-out percentages established and do not exceed the mandated maximum prizes.

b) Devices that allow all or part of a non-winning game combination to be retained for a subsequent game.

c) Devices that allow multiple games to be played simultaneously, provided they do not exceed the limits set out herein for each category.

d) Devices that allow the interconnection of type B machines.

e) Devices that allow to bet “on credit or for nothing” the sums remaining from previous rounds of lesser value than the price of the round. In this case the machine shall grant credit for twice the remaining value of the bet placed by the player for at least fifty per cent of times the bet is made.

f) Credit meter and meter for coins that are not intended for the game.

The accumulated sum must be immediately paid to the player 10 seconds after the credits meter reaches zero.

g) A prize meter that enables the accrual of won prizes, without exceeding the maximum authorised prize. When this maximum is reached, the machine must automatically pay out the total accumulated, without the intervention of the player.

h) Devices that allow the increase of pay-out percentages in accordance with this Regulation.

Article 20.

General requirements for the interconnection of type B gaming machines and interconnection types

1. The type B machines referred to in this Regulation may be interconnected in gaming arcades or bingo halls in the Autonomous Community of the Balearic Islands to offer cumulative prizes.

2. The interconnection of type B gaming machines is subject to the prior approval of the system and the prior authorisation of type B machine interconnection. Before the approval, the Directorate General of Trade and Enterprise shall register the interconnection system.

3. The potential prize may not lead to a reduction in the pay-out percentage of each of the interconnected machines.

4. This information shall be displayed on each interconnected machine, together with the maximum prize that can be won.

5. At least three machines must be interconnected.

6. A single machine may only be part of an interconnection system in the gaming premises and of an interconnection system between



different gaming premises.

7. Provided the requirements laid down in the previous articles are met for each machine type, the following machine interconnections may be authorised:

- a) Interconnection of type B1 machines only;
- b) Interconnection of type B2 machines only;
- c) Interconnection of type B1 and B2 machines. In this case, the interconnection shall at all time involve machines of both types;
- d) Interconnection of type B3 machines only;
- e) Interconnection of type B4 machines only;
- f) Interconnection of type B1, B2 and B3 machines. In this case, the interconnected prize shall be limited to the cumulative prize of type B1 and/or B2 machines set out in Article 25.

Article 21.

Specific requirements for the interconnection of type B1 and B2 gaming machines

The interconnection of type B1 and B2 gaming machines across different gaming arcades using a duly approved interconnection system may be authorised subject to the following requirements:

- a) The server shall be located in one of the gaming arcades or other premises the location of which shall be communicated to the Regional Ministry of Employment, Trade and Industry;
- b) The server shall control the interconnection system as a whole. The system must have as many security controls as are necessary and must ensure access inviolability;
- c) The interconnection system shall provide real-time, continuous communication;
- d) The system shall have adaptors for connecting the machines making up the interconnection system;
- e) The system shall have an internal network at each gaming arcade to connect the adaptors for the machines to a local server or hub in the gaming premises;
- f) The system shall have an external network that connects the gaming premises with the central interconnection system;
- g) The systems shall have displays connected to the network for each gaming establishment, intended to provide information at any time relating to the prizes and the status of the interconnected game.

Article 22.

Requirements for the interconnection of type B3 gaming machines exclusive to gaming arcades

1. Subject to the general requirements for type B gaming machines set out in Article 20, type B3 machines exclusive to gaming arcades may be interconnected within the one gaming arcade.
2. Likewise, the machines referred to in the previous paragraph may be interconnected across different gaming arcades, in accordance with the requirements set out in Article 21.

Article 23.

Requirements for the interconnection of type B4 gaming machines exclusive to bingo halls

1. The interconnection of type B machines exclusive to bingo halls may be authorised through an authorised interconnection system, in order to create prize pools through the successive accumulation of a part of the amount of the stakes.
2. The accumulated prize may not impose a reduction on the return percentage for each of the interconnected machines; it shall be determined by the sum of the maximum prizes that may be awarded by all the interconnected machines; and it may not in any case exceed the sum of EUR 40 000.

If type B machines exclusive to bingo halls are interconnected across different bingo halls, the maximum value of the purse of each bingo-only type B machine interconnection system may not exceed twice the limits set in the preceding paragraph (EUR 80 000). The cumulative prize shall be calculated as the sum of the maximum prizes that can be paid by all of the interconnected machines combined, and may not entail a reduction of the pay-out percentage of each interconnected machine.

To secure the approval of the bingo-only type B gaming machines interconnection system, the person or entity owning the bingo establishment shall provide a technical certificate issued by the organisation in charge of the interconnection services, stating compliance with the following requirements:

- a) The central server must be installed within the territory of the Balearic Islands;
- b) The server shall be located in one of the bingo halls or other premises, the location of which shall be communicated to the competent gaming authority;



- c) The server shall control the interconnection system as a whole. The system must contain as many security controls as necessary and must ensure against unauthorised access to the system;
- d) The interconnection system must provide real-time, continuous communication;
- e) The system has adaptors for connecting the machines making up the interconnection system;
- f) The establishment must set up an internal network at each bingo hall to connect the adaptors for the machines to a local server or hub in the gaming premises;
- g) The establishment must set up an external network connecting the bingo hall to the central interconnection system;
- h) The establishment must have displays connected to the network for each bingo hall, intended to provide information at any time relating to the prizes and the status of the interconnected game;
- i) The system's interconnected machines interact directly with the player during play.

Article 24.

Application for interconnection

1. The operating company, in agreement with the person or entity owning the establishment, shall submit an application for interconnection.
2. The interconnection application must be lodged in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex III, and must be accompanied by proof of payment of the corresponding administrative fee.
3. Any modification to the list of interconnected machines shall be subject to prior administrative authorisation and shall require the submission of an application by the operating company, in agreement with the person or entity owning the establishment, based on the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex IV.
4. The maximum period for passing and notifying the resolution and authorising the interconnection is three months from the date of entry of the application into the registry of the competent department in the area of gaming and betting. Where the administrative authority does not notify its decision within this maximum time, the application shall be deemed to have been rejected.

Once granted, the interconnection authorisation shall be automatically entered in the relevant section of the General Gaming Register of the Balearic Islands.

5. The owners of interconnected gaming arcades and bingo halls and the companies providing the interconnection services, which must be registered in the Gaming Businesses Register, shall be jointly liable for the organisation, operation and use of the interconnection system.

Article 25.

Prizes for interconnection of type B gaming machines

1. The cumulative prizes which may be offered when the interconnected machines are located in the same gaming arcade or bingo hall are as follows:
 - a) For “B1” and/or “B2” machines, EUR 2 000;
 - b) For “B3” machines, EUR 9 000;
 - c) For “B4” machines, EUR 40 000.
2. The cumulative prizes which may be offered when the machines are interconnected between establishments of the same types are:
 - a) For “B1” and/or “B2” machines, EUR 6 000;
 - b) For “B3” machines, EUR 9 000;
 - c) For “B4” machines, EUR 80 000.

Article 26.

Definition of type C or betting machines

1. Type C or betting machines are machines exclusively for casinos that grant the user playing time in exchange for the price of the round and possibly a prize that will always depend on betting. Betting is understood as when the result of each game does not depend on earlier or later combinations or results.



2. Machines that allow the playing of any of the games that are exclusively for gaming casinos in electronic format, exclusively depending on betting, shall also be type C gaming machines. These machines must have, as a minimum, the same gaming rules and the same cash prizes and bets as laid down in the Catalogue of Gaming and Betting for the different games exclusively for casinos, although their material and personal elements referred to in the Catalogue of Gaming and Betting shall not apply.

Article 27.

Specific requirements for the type approval of type C gaming machines

For their approval, type C machines must meet the following requirements:

a) The game price shall be set in the approval decision for the model.

Multi-denomination machines, which are those in which customers may choose the price of a play at their convenience, may be approved.

The Directorate-General of Trade and Enterprise may authorise the use of magnetic or electronic mediums or cards, or any other approved payment or pay-out method exclusive to each establishment, in place of money of legal tender or chips to be redeemed by the user at the establishment's cashier.

b) The maximum prize or highest value pay-out that type C machines may award in a play will be as set for each model in the corresponding approval decision and it will be indicated in the pay table for each machine, depending on the winning combination.

Type C machines that, as an additional device, have a mechanism that enables the accumulation of a percentage of the wagered amount to form purses or special prizes may also be approved.

c) The minimum play duration shall be set out in the machine's approval.

d) The machine must be designed and operated in such a way that it pays out to the players, in accordance with statistical series of plays resulting from all of the possible combinations, a percentage of no less than 80 % of the amounts played.

In the event that it is programmed to accumulate a percentage of the amounts played to form purses or special prizes, this accumulation will be additional to the percentage envisaged in the previous paragraph.

Machines that have mechanisms that enable the pay-out percentage to be increased may be approved.

e) They may have an automatic pay-out mechanism for the prizes obtained, without the need for any action to be performed by the player.

f) The prizes must consist of currency of legal tender, unless express authorisation is provided for the use of chips or cards, in accordance with the provisions of Section a) of this Article.

g) On the front panel or, where applicable, on the video screen of the machines, the following will be displayed, graphically, visibly and in writing:

1°. The rules of the game.

2°. A description of the winning combinations.

3°. Indication of the types of coin, chip or card that it accepts.

4°. The prize amount corresponding to each play.

5°. Indication that the machine does not return or change coins and does accumulate them for successive plays, so that any money that is inserted must be played.

6°. A warning that playing the game can lead to an addiction to gambling.

h) They must have the counters envisaged in Article 31 of this Regulation.

Installation of these counters will not be mandatory if the establishment where they are installed has a previously authorised central computer system connected to the machines.

Article 28.

General requirements for the interconnection of type C gaming machines

Type C machines may be interconnected in order to award a special prize, or "super jackpot", made up of the sum of the purse or special prizes from the interconnected type C machines. Type C machines may also be linked in order to award special prizes that the player may receive by the mere fact of playing one of the linked machines, regardless of whether the player obtains a winning combination and the stake placed.

The interconnection of type C machines shall be subject to the prior approval of the system and prior administrative authorisation.

At least three machines must be interconnected.

Machines that are installed in different areas or rooms of the same casino may be interconnected, including any additional rooms if applicable.

The interconnection system shall meet the following requirements:



- a) The central server must be installed within the territory of the Balearic Islands;
- b) The server shall be located in one of the rooms or other premises the location of which shall be communicated to the competent authority;
- c) The server shall control the interconnection system as a whole. The system must contain as many security controls as necessary and must ensure against unauthorised access to the system;
- d) The interconnection system shall provide real-time, continuous communication;
- e) The system shall have adaptors for connecting the machines making up the interconnection system;
- f) The system shall have an internal network in each room to connect the adaptors for the machines to a local server or hub in the gaming premises;
- g) The system shall have an external network that connects the room with the central interconnection system;
- h) The system shall have displays connected to the network for each room, intended to provide information at any time relating to the prizes and the status of the interconnected game;
- i) The value of the prize shall be clearly indicated and any related advertising outside the establishment shall be prohibited. Furthermore, each linked machine must clearly indicate this status.

Article 29.**Application for interconnection of type C gaming machines**

1. The person or entity owning the establishment shall submit an application for interconnection. The application must be lodged in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex V, and must be accompanied by proof of payment of the corresponding administrative fee.
2. Any modification to the list of interconnected machines shall be subject to prior administrative authorisation and shall require the submission of an application by the person or entity owning the establishment, based on the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex VI.
3. The maximum period for notifying the resolution and authorising the interconnection is three months from the date of entry of the application into the registry of the competent department in the area of gaming and betting. Where the administrative authority does not notify its decision within this maximum time, the application shall be deemed to have been rejected.

Once granted, the interconnection authorisation shall be automatically entered in the relevant section of the General Gaming Register of the Balearic Islands.

Article 30.**Coin deposits**

1. Type "C" gaming machines shall be equipped with two internal coin containers:
 - a) The payment of reserve deposit, intended for retaining the money or counters for the automatic payment of prizes;
 - b) The winnings deposit, which is intended to hold the money or tokens and is not used by the machine to automatically pay prizes, which must be in a compartment separate from all other machine compartments, with the exception of the feed channel.

Machines that use electronic or magnetic cards that are subsequently exchangeable for money in legal tender at the establishment as the sole prize payment method shall not be required to include these deposits.

2. If the prize exceeds the capacity of the payment reserve deposit, the prizes may be paid manually to the user by staff working at the premises, in which case there must be a luminous and/or acoustic signal that activates automatically when the user wins said prize. They must also have a blocking mechanism that, in the case set out above, prevents any user from continuing to use the machine until the prize has been paid and the machine unlocked by the staff working at the premises.
3. Those that have mechanisms allowing the accumulation of prizes won as credits in favour of the player may also be authorised and registered if, in such cases, the player has the right to choose when the accumulated credits are returned.

Chapter II**Provisions common to Type B and C machines****Article 31.**



Metres and warning mechanisms

1. Type B and C machines must incorporate counters that meet the following requirements:

- a) The appropriate authorities must be able to read them independently;
- b) The machine in which they are installed shall be identified;
- c) They shall have a serial number and be protected from tampering;
- d) They shall count and accumulate data relating to the number of games played and prizes gained;
- e) They shall store data in a memory, even when the machine is turned off, and shall prevent the machine from being used if the meter is faulty or disconnected.

2. Compliance with these requirements shall be demonstrated by means of a certificate issued by the entities and laboratories authorised by the body responsible for technical inspections.

3. Installation of the meters referred to in Section 1 of this Article shall not be obligatory for machines of the B2, B3, B4 type or type “C” if the establishment in which they are installed is equipped with a central computer system connected to the machines, which, as a minimum is compliant with the same requirements set for meters, authorised by the Directorate-General of Trade and Enterprise.

4. Type “B2”, “B3”, “B4” and “C” machines may be equipped with a light warning mechanism, which starts functioning automatically when they are opened for momentary repairs, for filling the deposits or for any other circumstances.

Additionally, they may be equipped with a light warning mechanism which enables the player to call the venue's staff and with a light signalling that the machine has accepted payment.

5. The counters installed in type B and C machines are subject to the metrological control provisions of the regulations in force on the subject.

Article 32.

Security devices

1. Type B and C machines shall be equipped with the following security devices:

- a) Devices that automatically disconnect the machine if the counters stop registering and accruing coin insertions or if they cease to operate properly;
- b) Those that prevent manipulation of the counters, preserve the memory of the machines (even in the event of power outages) and allow any play to be restarted as it was at the time of the interruption;
- c) Devices that prevent users from inserting notes or coins of a value exceeding the value established for each machine type, or that automatically return the excess money deposited.

2. Slot machines must also incorporate:

- a) A device that enables a full spin of the reels and, where applicable, the payment cycle of the prize obtained when the power returns to the machines;
- b) A device which automatically disconnects the machine if the reels do not rotate freely;
- c) A device that randomly changes the spinning speeds of at least two reels or drums and, perforce, the first of them, to avoid statistical repetitions in mechanical reel machines.

TITLE IV

APPROVAL OF MODELS, GAMES AND GAMING MATERIAL

Chapter I

Procedure for the approval and registration of gaming machine models, games and gaming material.

Article 33.

Approval of models of gaming machines

1. The manufacture, import, marketing and installation and operation of type B and C machines within the territory of the Autonomous Community of the Balearic Islands are subject to the prior approval of the corresponding model and its registration in the General Gaming Register.



2. This approval shall grant the owners the right to import, under the conditions established by the current state legislation, to manufacture and to sell the machines that are adapted to the aforementioned approvals and comply with the other regulatory requirements, providing that the owners mentioned are entered in this Registry.

3. The gaming machines that are legally marketed in Member States of the European Union and those that originate and are legally marketed in States belonging to the European Economic Area and Turkey will be able to be approved, provided that the prior tests and trials that determine the technical and operational characteristics have been made, with levels of precision, security, adequacy and suitability equivalent to those required in this Regulation.

Notwithstanding the above, models approved by the competent national and Autonomous government bodies shall be valid and automatically registered provided they meet the requirements laid down herein.

4. The approval for the manufacture of a registered model shall only be able to be granted if the transferor and the transferee have been registered in the corresponding section of the General Gaming Register. The transfer must be communicated to the competent body in the administrative management of gaming with the documentation that accredits its existence. This body is only related to person or entity holding the registration, with respect to the specific model.

5. Models of machines whose name is identical to other models already approved shall not be approved, unless the person or entity applying certifies the registration in their name, at an earlier date, in the patent and trademark office, which, following the appropriate administrative procedure, shall cancel the previous approval. However, the names of earlier models shall be able to be reused whenever the relevant approval and registration are cancelled.

6. Machines models whose use involves the use of images, messages or objects that could negatively influence the education of children and youth that are directly or indirectly contrary to this current Regulation may also not be approved, in particular those inciting violence and illegal activities or any form of discrimination, and those that contain racist, sexist or pornographic elements.

7. Gaming machines must provide users with accurate, concise and sufficient information on their essential features and, consequently, the instructions for their correct use must be provided in any of the languages of the Autonomous Community of the Balearic Islands; information in any other language may also be provided.

8. The gaming machines must be manufactured and installed in a way that guarantees the physical integrity of any user and must incorporate the CE marking, which declares its conformity with the current legislation.

Article 34.

Application for approval of type B and C gaming machines

1. The approval application for type B and C machine models must be lodged by the manufacturer in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex VII, and must be accompanied by the following documentation:

a) A file, which must contain the following:

1°. As many clear colour photographs as needed of the outside of the machine.

2°. The trade name of the model.

3°. Name of the manufacturer, registration number in the Gaming Register, details of foreign manufacturer, and number and date of import licence, except for machines from Member States of the European Union or the European Economic Area, in which case only the entity responsible for marketing the machine need be provided.

4°. Machine dimensions.

b) Descriptive report of the kind of use and game that shall include: price of the game and available bets, pay tables - showing the different prizes offered by the machine and specifying the maximum prize per game and special prizes or jackpots available - prize payback percentage - specifying the cycle used to calculate it and any other mechanisms or devices installed on the machine; plans of the machine and of the electrical system and certificate of compliance with the Low-Voltage Electrotechnical Regulations, in addition to the electrical or computer elements, if applicable, and CE declaration of compliance, in accordance with the current legislation in this area, which must be signed by a competent technician.

c) If applicable, file copy with the programme or software of the subject of the application.

d) Certification of the prior laboratory tests.

e) Proof of payment of the corresponding administrative fee.





2. The approval shall specify the name of the model, its general characteristics, any special or optional devices, and the data identifying the manufacturer and, where applicable, the importer.

3. The maximum period for notifying the approval resolution is three months from the date of entry of the application into the corresponding registry, after which, if the administrative authority does not reply, the application shall be deemed to have been rejected. The approval shall be automatically entered in the relevant section of the General Gaming Register of the Balearic Islands.

Article 35.

Amendment of type B and C gaming machine approvals

1. Manufacturers of gaming machines may request amendments to models previously approved and entered in the General Gaming Register.
2. When the requested modification involves substantial modifications to the model, it shall be necessary to go through another authorisation procedure.

Substantial modification means one that directly affects the price of the game, the return percentage, the pace of the game or the winnings plan and is subject to laboratory testing. Substantial modifications also include the addition of new games to the approved model, or the modification of existing games.

Modifications are deemed non-substantial when the game program is altered by correcting operational or programming errors or other minor improvements. Non-substantial modifications require a laboratory certificate guaranteeing that the nature of the modification is non-substantial.

If the modification is needed to resolve a technical problem that harms the users or the companies, the corrective action may be implemented immediately, especially for gaming machines in operation, after submission of the relevant notification to the register. Once the problem has been corrected, the manufacturer shall present supporting documentation pertaining to the correction performed, including a laboratory certificate.

3. The application for a substantial modification of a type B and C machine model approval in the General Gaming Register of the Balearic Islands must be lodged in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex VIII, and must be accompanied by the documentation detailed in Article 34 below.

4. The maximum period for deciding on a substantial approval modification is three months from the date of entry of the application into the corresponding registry, after which, if the administrative authority does not reply, the application shall be deemed to have been rejected.

In the event of a favourable resolution of the application for substantial modification, the registration shall keep the same registration number followed by an additional letter.

Article 36.

Approval and registration of gaming material

1. The approval application for gaming material must be lodged by the manufacturer in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex IX, and must be accompanied by the following documentation:

a) A file containing:

1°. A clear colour photograph of the material to be approved.

2°. The trade name of the material

3°. Name of the manufacturer, registration number in the section on manufacturing companies of the General Gaming Register, information on their foreign manufacturer and number and date of the import licence, except in the case of machines originating in member states of the European Union or the European Economic Area and Turkey, in which it shall be sufficient to specify an entity responsible for its marketing.

4°. Dimensions of the material that is the subject of the application.

b) Descriptive report of the kind of use, game or its operation that shall include if applicable, plans of the electrical system and certificate of compliance with the Low-Voltage Electrotechnical Regulations, in addition to the electrical or computer elements, if applicable, and CE declaration, in accordance with the current legislation in this area, which must be signed by a competent



technician.

- c) If applicable, file copy with the programme or software of the subject of the application.
- d) Certification of the prior laboratory tests.
- e) Proof of payment of the corresponding administrative fee.

2. In the same way, equipment or platforms that contain all electrical cabling and the rest of the machine hardware can be approved, which can incorporate different games, according to the type of machine.

An explanatory sheet must shall be provided for said elements to be approved, including photos and dimensions of the furniture or platform, plans of the electrical system and certificate of compliance with the Low-Voltage Electrotechnical Regulations, in addition to the electrical or computer elements, if applicable, and CE declaration, in accordance with the current legislation in this area, which must be signed by a competent technician.

3. The maximum period for notifying the approval resolution is three months from the date of entry of the application into the corresponding registry, after which, if the administrative authority does not reply, the application shall be deemed to have been rejected. The approval shall be automatically entered in the relevant section of the General Gaming Register of the Balearic Islands.

Article 37.

Provisional approval of machine and game models and of games. Trial machines

1. With the aim of verifying the commercial viability of a certain machine model or a certain game, the manufacturers will be able to apply for the provisional approval of models or of games for type B and C machines, and of gaming material.

The provisional approval authorises the manufacturers and importers for the operation of up to 10 machines of the same model for a maximum period of three months.

2. The type of the machine model or game to be subjected to testing must meet the applicable technical requirements and characteristics for the particular type of machine or games.

3. The prototype model trial application must be lodged in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex X, and must be accompanied by the following documentation:

- a) Technical and operational report of the prototype of the machine model to be subjected to testing, which must include the plans and photographs of all their external parameters.
- b) Undertaking by the company manufacturing the prototype, signed by its legal representative, containing the assumption of all liability that may arise while conducting the test by the company, in addition to the compliance with all the conditions established in this Article.
- c) Number of machines to be installed.
- d) Indication of the operating company with which the test shall be conducted.
- e) Document of compliance signed by the operating company and the person or entity owning the establishment where the test shall be conducted.
- f) List of establishments where the tests will be conducted.
- g) Start date of the test and its duration.
- h) Proof of payment of the corresponding administrative fee.

4. Provisional approvals for games in machines that are already installed can be authorised, in which, in addition to the documentation indicated in Section 3, it must include express consent by the operating company owning the machine in which the game will be incorporated, indicating the authorisation number for operation.

5. Once the period fixed for the provisional approval has elapsed, the machines of the model must be removed or the game must be replaced by the existing game, without prejudice to the possibility of the application for its approval.

6. Provisional operating authorisations must be displayed on the machine in a visible manner.

7. Provisional operating authorisations shall not cover the operation of a number of machines in excess of the authorised number for the corresponding establishment type.

8. The maximum period for notifying the approval resolution is three months from the date of entry of the application into the corresponding registry, after which, if the administrative authority does not reply, the application shall be deemed to have been rejected. The approval shall





be automatically entered in the relevant section of the General Gaming Register of the Balearic Islands.

Article 38.**Withdrawal of approval**

1. The approval of the model, game or gaming material in the General Gaming Register of the Balearic Islands can be revoked at the request of its owner, providing that it can be reliably proven that no machine of this model, example of the model or corresponding gaming material is in operation in the territory of the Autonomous Community of the Balearic Islands. The decision deadline for renewals shall be three months from the date the application entered the corresponding register.

2. The Regional Minister of Employment, Trade and Industry shall automatically revoke the approval, after completing the corresponding procedure, in the following cases:

- a) Where it is found that, after the approval is granted, the characteristics of the model, the game or the gaming material do not exactly match the documentation submitted for their approval, or they have been subject to changes which affect the development of the game, prize amounts, counters or security devices of the model without the corresponding authorisation, where this is attributable to the manufacturer. In the first case, if this is an essential requirement, the ex officio review procedure must be dealt with in advance.
- b) As a result of imposing a gaming penalty issued through administrative channels.
- c) When this is advisable for serious reasons in the public interest and to protect the development of children and young adults, in accordance with what is laid down in the legal rules relating to the care and protection of children and adolescents.

3. The revocation of the approval shall imply the ineligibility for the manufacturing and marketing of machines of this model, game or gaming material, and in the cases considered in the second section will justify the automatic termination of authorisations for the operation of machines corresponding to this model. The period for the removal of the machines of the revoked model shall be set in the revocation resolution and shall not be greater than three months, without prejudice to the liabilities as a consequence of this. These machines will be able to be exchanged within the indicated three month period.

Revocation of the authorisation shall automatically lead to the cancellation of the entry in the relevant section of the General Gaming Register of the Balearic Islands.

Article 39.**Prior tests**

1. All models of type B and C machines and, if applicable, the interconnection systems used, the games for type B and C machines with video signal, in addition to other gaming material and the games, shall be subject to a test conducted by an authorised entity or laboratory prior to its approval and registration, without prejudice to the provisions of Section 3 of this Article.

2. This authorised entity or laboratory must report on the operation of the model and, in particular, on whether their operation of the machine, the game programme and the distribution of prizes corresponds to the technical specifications contained in the operating report and machine plans provided by the manufacturer to the laboratory, and to the technical legislation applicable in each case.

3. The Regional Minister for Employment, Trade and Industry shall recognise the trials previously conducted by other Spanish public administrations and by other Member States of the European Union, the European Economic Area and Turkey, to the extent that the results have been made available to them and guarantee a level of security equivalent to that provided for in this Regulation.

Chapter II**On the test laboratories****Article 40.****Gaming machines and material testing laboratories**

1. For the purposes of this Regulation, testing laboratory means a public or private entity, with its own legal personality, responsible for checking the compliance of each type of recreational machine with programmed prizes and gambling machines, as well as gaming and betting material with the specifications, characteristics and technical requirements set out by gaming regulations. The compliance check must be performed before the material is approved.

2. To perform their role, testing laboratories must obtain an administrative authorisation under the conditions specified herein.

Article 41.**Requirements for the authorisation of testing laboratories**

1. Testing laboratories shall have sufficient material and human resources, the technical know-how and financial capability necessary to



ensure they can carry out their duties correctly, impartially and independently.

2. A laboratory applying for said mandatory authorisation shall have the corresponding accreditation granted by an entity authorised for its issuance in accordance with the applicable regulations on industrial safety and quality, to be submitted with the application.

3. If the testing laboratory is a private entity, it must have public liability insurance for a minimum amount of EUR 1 million covering any damage or losses for which it may incur public liability.

Article 42.

Procedure for the authorisation of the testing laboratories

1. The testing laboratory application must be lodged with the Regional Ministry of Employment, Trade and Industry in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XI, specifying the scope of the authorisation sought. Proof of payment of the corresponding administrative fee must be included.

2. The application may be submitted at any of the registrars of the Autonomous Community of the Balearic Islands or central government, or at any of the places provided for in Article 16.4 of Law 39/2015 of 1 October 2015 on the shared administrative procedure for public authorities.

3. To ensure the impartiality and independence of testing laboratories as they perform their checking duties, the application shall be accompanied by the following documentation:

- a) A document showing the name of the entity, indicating its legal nature and registered office.
- b) For legal persons, a certified copy of the Articles of Incorporation, the order or agreement establishing the entity and, if applicable, the by-laws. If the applicant is a trading company, the Articles of Incorporation must be duly registered in the Trade Register or equivalent body for foreign companies.
- c) Nominal list and personal data that allow the identification of the personnel providing services in the laboratory.
- d) Declaration signed by the legal representative of the entity, testifying that it does not maintain any connection with or dependence on other companies, private entities or bodies interested in the results of the tests or verification, as well as testifying to confidentiality with regard to the said results. This statement is not required for laboratories controlled by a public entity.
- e) If the applicant is a private company, a certified copy of the civil liability insurance policy.

4. To ensure the technical capability and know-how of the laboratories when performing the tests, supporting documentation proving the following elements shall also be submitted when said elements are not proven by the granting of the accreditation referred to in Article 41.2 or when accreditation is not required:

- a) Availability of personnel with adequate qualifications and technical training to conduct the tests and verifications required.
- b) Ability of the laboratory to conduct tests, assays and other checks to verify compliance with the specifications, characteristics and technical requirements set out in the gaming and betting regulations for each type of machine, gaming and betting material.
- c) Ability of the laboratory to perform checks in additional areas concerning other elements included in the games, such as metrological, mechanical, climatic, electrical safety, electromagnetic compatibility verifications or checks, as well as any other technical aspects when it is appropriate based on the nature of said games.
- d) Availability of the laboratory to resolve queries formulated by the competent Public Administrations on issues related to the tests and assays of gaming machine types, and gaming and betting material, attendance at working meetings with these to coordinate criteria or for providing collaboration services in the inspection, when this is required by the legal or administrative authority.
- e) Holding of the official accreditation as a testing laboratory issued by the National Accreditation Authority (ENAC) or by another national accreditation body of a Member State of the European Union in accordance with the provisions of 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.

5. If the authorisation application does not meet the requirements or is not accompanied by the documents listed in the previous paragraphs, the applicant shall be required, within ten working days, to remedy the issue or supply the required documents, under penalty of the application being deemed withdrawn pursuant to Article 68 of Law 39/2015.

6. As part of the procedure, the Directorate-General of Trade and Enterprise may request from the person interested person or entity any additional documentation or information required to make a decision.

7. The maximum period for notifying the approval resolution is three months from the date of entry of the application into the corresponding registry, after which, if the administrative authority does not reply, the application shall be deemed to have been rejected.

8. The decision to grant the authorisation shall contain at least the following details:



- a) Name, tax identification number or code and registered office of the authorised entity.
- b) Authorisation number.
- c) Scope of the authorisation: gaming machines, gaming and betting material verification included.
- d) The date of issue and expiration date of the authorisation.

Article 43.

Validity of the authorisation

1. The testing laboratory authorisation shall be valid for ten years and may be renewed for subsequent periods of the same length provided the requirements set out in the legislation in force at the time the renewal is requested are fulfilled. The person or entity holding the authorisation shall apply for its renewal no later than three months before the expiry date. The renewal application must be sent to the Regional Ministry of Employment, Trade and Industry, in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XII. Proof of payment of the corresponding administrative fee must be included.
2. The modification of the conditions leading to the granting of the authorisation shall be subject to the prior administrative authorisation of the Regional Minister of Employment, Trade and Industry.

Article 44.

Lapsing of the authorisation

1. The authorisation for testing laboratories shall lapse in the following cases:
 - a) Upon the expiry of its validity period;
 - b) When no renewal application is submitted within the specified time limits;
 - c) Upon express renunciation by the interested person or entity.
 - d) Due to the termination of the legal personality of the person or entity holding the authorisation;
 - e) Due to revocation in the following cases:
 - When the requirements and conditions needed to obtain the authorisation cease to be fulfilled;
 - When the insurance policy is not maintained in the terms provided in Articles 7 and 8 or its coverage is less than the minimum required sum;
 - When it is imposed as a penalty in the corresponding sanctioning procedure;
 - Where any of the details given in the authorisation application or application for modification are proven to be false, incorrect, or inaccurate; If this is an essential requirement, the ex officio review procedure must be dealt with in advance.
 - When the activities of the testing laboratory are effectively ceased for an uninterrupted period exceeding one year immediately preceding the time the Administration becomes aware of said circumstances.
2. The resolution approving the lapse of the authorisation shall be notified individually, without prejudice to the publication in the *Official Gazette of the Balearic Islands* of an extract for public disclosure.

Article 45.

Betting machines and betting material

All of the conditions contained in Chapter II of this Regulation applicable to testing laboratories shall also apply to laboratories that test betting machines and material.

TITLE V

RULES FOR THE IDENTIFICATION, OPERATION AND INSTALLATION OF GAMING MACHINES

Chapter I

Identification of the machines

Article 46.

Trademarks

1. Without prejudice to the applicable provisions of the European Directives, and with the goal of their identification prior to their marketing, the manufacturer or importer must imprint a code expressing the following information on each machine, in a permanent, abbreviated and visible form, on a plaque attached to the unit:



- a) Registration number of the manufacturer in the General Gaming Register;
 - b) Registration number of the model in the General Gaming Register;
 - c) Serial and production number.
2. Similarly, the integrated circuits storing the game program or memory must include the manufacturer's identification and corresponding model and be equipped with protective mechanisms that guarantee their integrity.
3. On imported machines, the trade name or brand of the foreign manufacturer and country of their manufacture shall also be present.
4. All machines must bear a label on their front panel, easy to read by the player, stating that use is prohibited to minors and that health authorities warn that compulsive gaming using machines is harmful to health and may lead to a gambling addiction.

Article 47.

Manufacturing certificate

1. The manufacturing certificate is the document issued by the manufacturers that are duly registered in the General Gaming Register, which is used to obtain the required authorisation for the operation and to certify the correspondence of each specific machine with an approved model.
2. The manufacturing certificate must include at least the following information:
 - a) Name or company name of the manufacturing company, its tax ID number and the registration number in the General Gaming Register.
 - b) Type and name of the model of the machine, registration number in the General Gaming Register, series and production number of the machine, and indication of the player positions that it has, in the event that it is multi-user;
 - c) Date of manufacture of the machine;
 - d) Model, series and number of the counters that it incorporates;
 - e) Date of transfer of the machine to the marketing or operating company.
3. The manufacturer is responsible for ensuring that the machine is manufactured in accordance with the requirements of the applicable legislation in the Autonomous Community of the Balearic Islands.

Chapter II

Gaming machine operating framework

Article 48. Operating authorisation

1. The operation of a type B or C machine shall require the prior obtaining of the authorisation for operation.
2. The authorisation for operation is the administrative document that covers all of the territory of the Autonomous Community of the Balearic Islands, the individual legality of a specific type B or C gaming machine, with regard to its correspondence with the model that was approved and registered in the General Gaming Register and to its ownership.
3. The authorisation for operational shall accompany the machine in all of its transfers and installations and shall reflect the different changes in ownership that the machine can experience, in addition to the renovations, changes in the territorial domain or the decommissioning of this machine.
4. The operating authorisation application must be lodged with the Directorate-General of Trade and Enterprise by the operating company that owns the machine in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XIII, and must be accompanied by the following documentation:
 - a) Certification of the manufacturer or importer of the gaming machine;
 - b) Proof of payment of the corresponding administrative fee.
5. The decision and notification deadline for renewals shall be two months from the date of submission of the application. If no decision is made within this period, the application shall be considered rejected.
6. The authorisation for operation shall include the following details:
 - a) Name or company name of the manufacturing company, its tax ID number and the registration number in the General Gaming





Register;

- b) Type and name of the model of the machine, registration number in the General Gaming Register, series and production number of the machine, and indication of the player positions that it has, in the event that it is multi-user;
- c) Date of manufacture of the machine;
- d) Model, series and number of the counters that it incorporates;
- f) Date of transfer of the machine to the marketing or operating company;
- g) Name of the owning operating company, its tax ID number or equivalent document issued by an EU Member State, and registration number in the Gaming Register;
- h) Number of the authorisation for the operation of the machine, which shall be sequential;
- i) Date of the authorisation and validity period.

Article 49.

Validity of the authorisation for operation

1. The authorisation for operation shall be unique and exclusive to each machine and shall have a validity of five years, from 31 December of the year of its granting, preserving its validity even if these are the subject of transfer.
2. The authorisation for operation can be renewed for periods of the same duration, providing that the corresponding model complies with the requirements of the current legislation at the time of renewal. To this end, the company holding the authorisation must apply for its renewal with the Directorate-General of Trade and Enterprise no later than three months before its expiry. The renewal application must be sent to the Regional Ministry of Employment, Trade and Industry, in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XIV. Proof of payment of the corresponding administrative fee must be included.

The application for renewal shall be accompanied by a report, issued by the body, laboratory or personnel authorised by the Directorate General of Trade and Enterprise in which it is confirmed that the operation of the machine is adjusted to the requirements set forth for its approval in the current legislation at the time of renewal, without prejudice to the fact that the competent body in the administrative management of gaming can agree on the conducting of these inspections with respect to the authorised machines at any time.

3. If the operating company fails to submit a renewal application before the validity term of the authorisation expires, the Directorate General of Trade and Enterprise shall declare the operating authorisation lapsed after completing the relevant procedure. Lapsing of the authorisation shall entail the definitive decommissioning of the machine, in relation to which the operating company shall submit the documentation listed in Article 51 of this Regulation within 15 days from the date the lapsing resolution is notified.

Article 50.

Lapse of the authorisation for operation

The authorisation for operation shall lapse in the following cases:

- a) At the end of the term of validity of the licence if a renewal is not requested by the required time and in the appropriate manner, following completion of the related proceedings;
- b) If the operating company applies in writing to the Directorate-General of Trade and Enterprise requesting definitive decommissioning;
- c) Due to the transfer of the authorisation for the operation without previously obtaining the corresponding authorisation in the conditions and with the requirements that are established by Law, without prejudice to the penalty consequences that may ensue;
- d) Due to transfer of the machine to other autonomous communities;
- e) Due to a penalty consisting in the revocation of the authorisation;
- f) If any essential inaccuracies, false information, or irregularities are found in any of the information included in the applications or documents attached thereto; If this is an essential requirement, the ex officio review procedure must be dealt with in advance.
- g) Due to revocation of the authorisation for operation of the machine;
- h) Due to the cancellation of the registration of the corresponding model in the General Gaming Register of the Balearic Islands;
- i) Due to the passing of six months from the death of the natural person constituted as the operating company, in the case of *mortis-causa* transfers, without the heir or heirs constituting an operating company or transferring the machines to another operating company. Notwithstanding the above, in the event that the heir or heirs request an extension for the payment of the tax on successions and donations, the six-month period shall be extended by another six months.

Article 51.





Definitive decommissioning of the machines

1. The operating company may apply for the definitive decommissioning of type B and C machines, in accordance with the standardised model that shall be available on the website of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, included as Annex VX to this Regulation, for administrative purposes, submitting the documentation set out in Sections (a) or (b) below:

a) An application for the express renunciation of the administrative authorisation enabling the operation of the machine together with the following documentation:

- Game storage memory of the machine;
- Identification plate.

b) Alternatively, a destruction certificate issued by the manufacturer, importer, marketer or distributor or, if applicable, a notarial deed or other lawful document proving the non-use, scrapping or destruction of the replaced machine, or its consignment for the same purpose.

2. The operating authorisation of the machine is definitively cancelled with a resolution of the Regional Minister of Employment, Trade and Industry, with the issuance of the corresponding standardised document.

Article 52.

Transfer of machines

1. Only operating companies registered in the General Gaming Register of the Balearic Islands may seek the transfer of authorisations for operation of gaming machines.

2. Similarly, the acquiring company must be aware of the tax obligations toward the Autonomous Community of the Balearic Islands and Social Security and have the guarantees required by the Regulation.

3. The transfer of machines is subject to prior administrative authorisation. The change-in-ownership application must be lodged by the buyer in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XVI, and must be accompanied by the following documentation:

a) Joint notification by the transferor and the transferee of the change of ownership of the gaming machines or deed of transfer, in any legal form allowed under civil or trade laws, signed by the owners or their legal representatives;

b) Proof of payment of the corresponding administrative fee.

4. After reviewing the documentation and performing the corresponding checks, the Directorate General of Trade and Enterprise shall issue a new administrative authorisation showing the change of ownership in favour of the transferee, with no impact on the validity of the authorisation.

Article 53

Relocation of type B and C machines

Type B and C machines may be relocated, including for their installation outside of the Autonomous Community of the Balearic Islands, or to be surrendered to the manufacturer, importer, marketer or distributor, after submitting an application to the competent gaming authority.

The relocation or surrender shall terminate the authorisation for operation by means of a prior motivated resolution of the Regional Minister of Employment, Trade and Industry to be issued within two months from the application date. A new operating authorisation must be applied for to operate the same machine in the Autonomous Community of the Balearic Islands.

Article 54.

Exchange of type B and C machines

1. Operating companies may apply to exchange a machine covered by an operating authorisation with another machine of the same type without authorisation, in accordance with the rules set out in the relevant laws, provided the model has been previously approved and registered, without prejudice to regulations on the accrual and payment of the tax on gaming as set out in the applicable tax regulations.

2. Replacement of the machines entails the definitive decommissioning of the replaced machine, based on which the Regional Minister of Employment, Trade and Industry must rule on both the termination of the authorisation for the machine to be replaced and the operating authorisation for the new machine within two months. The latter shall be issued once proof is supplied of payment of the corresponding tax for the replaced machine and, where the number of players increases, any additional payable tax.



3. The operating authorisation application following a machine exchange must be lodged by the buyer in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XVII, and must be accompanied by the following documentation:

- Certificate of manufacture of the new machine;
- Proof of payment of the corresponding administrative fee;
- Proof of payment of the tax rate for the replaced machine and, where the number of players is increased, the additional tax payable.

4. After the machines have been replaced, the operating company must submit to the Directorate General of Trade and Enterprise the documentation listed in Article 51 pertaining to the replaced machine within one month from its replacement.

Article 55.

Gaming machine documentation

All machines included in the scope of application of this Regulation that are in operation must incorporate the following on the front or side of the machine, and in a form that is visible from the outside:

- a) The trademarks regulated in Article 46 of this Regulation.
- b) The operating authorisation, duly protected from deterioration and fully visible.
- c) Communication of the placement

TITLE VI INSTALLATION RULES

Chapter I

Authorised premises for the installation of gaming machines

Article 56.

Installation of type B gaming machines

Type B gaming machines may be installed for their commercial operation based on the specific type:

1. Type B1 gaming machines will be able to be installed for their commercial operation in:

- Hotels, city hotels, apartment hotels, heritage accommodation, restaurants, cafés, night clubs, dance halls, discotheques, and cabarets;
- Gaming arcades;
- Bingo halls;
- Casinos.

2. Type B2 machines may be authorised in:

- Gaming arcades;
- Bingo halls;
- Casinos.

3. Type B3 machines may be authorised in:

- Gaming arcades;
- Casinos.

4. Type B4 gaming machines may only be installed in bingo halls and casinos.

5. Type B2, B3 and B4 machines must be placed in such a way that identification at the admission and control service of the premises is required for their use.

6. The installation of type B gaming machines is prohibited in:

- a) Bars in shopping centres and areas, as well as in public transport stations, where the premises are not completely isolated from the



transit area.

b) Bars which are additional facilities of other premises and establishments intended for public performances or other sport or recreational activities.

c) Catering establishments located in educational centres for minors, children's play areas and permanent facilities for the care of minors.

d) Terraces or other areas that are used as public rights of way.

Article 57.

Installation of type C gaming machines

1. Type C or betting machines shall only be installed in gaming casinos.

2. Rooms where these machines are installed must have the same requirements for entrance, registration and security as the rest of the casino.

Article 58.

Maximum number of gaming machines to be installed.

1. The maximum number of gaming machines to be installed in the establishments listed below shall be:

The maximum number of machines that may be installed in hotels, city hotels, apartment hotels, heritage accommodation, restaurants, cafés, night clubs, dance halls, discotheques and cabarets is two, one of which may be a two-player machine.

2. In gaming arcades the number of machines determined by the corresponding installation permit, based on the useful surface area of the premises, under the conditions and with the requirements indicated in the regulatory standard of gaming arcades.

3. In bingo halls, the maximum number of installed type B1 or B2 machines shall be one for each 25 persons of authorised capacity.

For type B4 machines, the maximum number depends on the relevant bingo category. For third category bingo, six machines; for second category, 25 machines; for first category, 38 machines; and for the special category, 50 machines.

4. In gaming casinos, the maximum number of type C and B machines to be installed shall be determined by dividing the overall gaming surface by three.

5. All authorised gaming establishments shall provide users with complaint forms according to the model provided for in Decree 46/2009 of 10 July 2009 on consumer complaint forms.

Chapter II Installation permit

Article 59.

Installation permit

1. The installation permit is the administrative document that enables an operating company to install type B1 gaming machines in one of the establishments listed in Article 56 whose main activity is not gaming, with the exclusion of gaming arcades, bingo halls and casinos.

2. The permit application shall be signed jointly by the operating company and the person or entity owning the establishment, or their legal representatives. It shall meet the requirements set out in Article 66 of Law 39/2015 of 1 October and be lodged by the operating company in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XVIII.

Applications signed more than one month before the date of submission shall not be accepted.

3. The application shall be made to the Regional Ministry of Employment, Trade and Industry and may be submitted at any of the registrars of the Autonomous Community of the Balearic Islands or central government, or at any of the places provided for in Article 16.4 of Law 39/2015 of 1 October on the shared administrative procedure for public authorities, together with the following documentation:

a) Photocopy of owner's tax identifier document (NIF for natural persons and CIF for legal entities). Additionally, for legal persons submission of the National Identity Card of the administrators is also required;

b) Copy of the municipal operating licence or equivalent document in accordance with Law 7/2013 on the regulatory framework for the installation, access and performance of activities, which must also indicate the establishment's activity and location;

c) Document or other lawful instrument reliably proving the availability of the premises to the person or entity owning the



establishment.

d) Statement declaring that the premises do not fall under any of the restrictions listed in Article 56.6.

For bars in shopping centres and areas, and in public transport stations, plans of the premises must also be submitted, signed off by duly qualified technical staff, showing that the premises are completely isolated from the transit area;

e) A plan of the premises at a scale no greater than 1:100;

f) Receipt of payment of the corresponding administration fee;

g) In the case of legal persons, a copy of the Articles of Incorporation and of its later amendments, duly registered in the Commercial Register, with the identification of the members and administrators and the notarial document that certifies the powers granted to third parties. In the case of community of property or corporations, any lawful document showing the shareholders, directors and powers granted;

4. The maximum period for issuing and notifying the resolution is two months from the date of entry of the application into any of the registers listed in Article 16.4 of Law 39/2015. Where the administrative authority does not notify its decision within this time, the application shall be deemed to have been rejected.

5. The installation permit must include, as a minimum, the following information:

a) Trade name and address of the establishment;

b) The name or company name, tax identification number and registration number in the Gaming Register of the operating company;

c) The name or company name and tax identification number of the person or entity responsible for operating the establishment;

d) The date of issue and expiration date;

e) Establishment's registration number.

Article 60.

Validity and conditions of installation permit

1. The installation permit referred to in Article 59 shall be valid for a maximum of five years from the date of granting, unless the loss of validity is caused by the reasons provided for in this Regulation.

2. During the validity of the installation permit for type B1 machines, no other permit may be granted for the installation of machines of the same type to another operating company other than the one stated in the installation permit.

3. The transfer of ownership of the establishment during the validity of the installation permit shall not cause it to lapse, with the new owner being subrogated to the rights and obligations of the previous owner as stemming from the current permit.

Said transfer of ownership must be notified jointly by the new owner and the operating company listed in the installation permit. The notification must be submitted by the operating company in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XIX, within three months from the change and must be accompanied by the following documents:

a) Photocopy of owner's tax identifier document (NIF for natural persons and CIF for legal entities). Additionally, for legal persons submission of the National Identity Card of the administrators is also required;

b) Copy of the municipal operating licence or equivalent document in accordance with Law 7/2013 on the regulatory framework for the installation, access and performance of activities, which must also indicate the establishment's activity, location and ownership.

c) Document or other lawful instrument reliably proving the availability of the premises to the person or entity owning establishment, whose signature must be recognised or certified by a banking body or authenticated by a public officer.

d) In the case of legal persons, copy of the Articles of Incorporation and of its later amendments, duly registered in the Commercial Register, with the identification of the members and administrators and the notarial document that certifies the powers granted to third parties. In the case of community of property or corporations, any lawful document showing the shareholders, directors and powers granted.

e) Proof of payment of the corresponding administrative fee.

Failure to disclose this information shall lead to the temporary suspension of the authorisation for the remainder of its validity and, if applicable, to sanctioning proceedings.

The change of ownership of the establishment must be indicated in the installation permit, without affecting the validity of the permit.

4. If the new owner declines to continue to install the machines, preventing their operation, no new installation permit may be granted until



the current permit expires.

Similarly, no new installation permit may be granted if the operation of the machines installed in an establishment is disrupted due to the unilateral decision of the establishment's owner, for as long as the previous permit remains valid.

5. The installation permit referred to in Article 59 may be renewed for the same length of time, provided a joint application is submitted by the person or entity owning the establishment and the operating company no later than three months before the end of the validity of the installation permit. The renewal application must be lodged in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XX, and must be accompanied by the documentation listed in Article 59.

6. Where no renewal application is submitted, the completion of the validity period of this permit shall also imply the completion of the validity period of the communications of placement of the establishment that are covered in it.

Article 61.

Lapsing and revocation of the authorisation for installation

1. The authorisation for installation shall lapse in the following cases:

- a) At the end of the term of validity of the authorisation if a renewal is not requested by the required time and in the appropriate manner, following completion of the related proceedings.
- b) By mutual consent of the parties, being demonstrated through an application to be signed jointly by the owners or their representatives, and both signatures being acknowledged by the bank or by a public officer, and involving the simultaneous withdrawal of the machines.

2. The Directorate General of Trade and Enterprise may resolve to revoke installation permits after hearing the interested parties, for the following reasons:

- a) If any essential inaccuracies, false information, or irregularities are found in any of the information included in the application or documents attached thereto, prior to undertaking the ex officio review procedure;
- b) Due to any of the parties no longer satisfying any of the requirements established for obtaining it;
- c) Due to a gaming penalty issued through administrative channels;
- d) Due to the cancellation of the owners in the General Gaming Register;
- e) Due to a final court decision declaring the termination of the authorisation for installation;
- f) Due to the failure to install at least one machine, as proven by the party that cannot be held accountable for such non-compliance by submitting any lawful means of proof.

3. The lapsing and revocation of the installation permit shall lead to the immediate removal of the machines from the establishment.

Chapter III

Communication of the installation of type B and C machines

Article 62.

Communication of the placement

1. The communication of the placement is the administrative document through which an operating company communicates the installation and use of a specific type B or C machine of which it is the owner in any of the authorised establishments or in its warehouse. The communication of the placement must be submitted before installing the machine, in accordance with the standardised form which shall be available on the web page of the Directorate-General of Trade and Enterprise of the Regional Ministry of Employment, Trade and Industry, attached to this Regulation as Annex XXI, duly completed and signed by the legal representative of the operating or managing company.

2. The actual installation of the machine is subject to the issuance by the corresponding administrative unit of the Directorate General of Trade and Enterprise of a placement compliance document for the gaming machine, which must include the following details:

- a) Date of commissioning;
- b) Details of operating company;
- c) Details of the establishment and of its owner;
- d) Details of the machine installed.

3. Any change in location or transfer of a machine shall require a new communication of placement that shall cause the termination of the



previous one, as well as the issuance of a new placement compliance document. Failure to comply with the above shall result in penalty proceedings.

Article 63.

Documentation to be kept on the premises

The person or entity owning the establishment must keep the following on site:

- a) The installation permit for hospitality establishments, and, for arcades, bingo halls and casinos, the relevant operation permit. Said permit must be displayed so as to be visible to the public.
- b) Document of compliance of the placement communication.
- c) Claim or complaints book available to users, based on the model provided for in Decree 46/2009 of 10 July 2009 on consumer claim or complaint forms.

Article 64.

Machine documentation

All machines to which reference is made in the present Regulation and which are installed and in use must display the following in a visible manner:

- a) Trademarks.
- b) The operating authorisation, duly protected, which shall accompany the machine in all its transfers and installations or, if applicable, the provisional operating authorisation.
- c) Document of compliance of the placement communication.





ANNEX I

Application for authorisation as a gaming company

Company details

TAX IDENTIFICATION CODE (CIF): _____ Name: _____ Street/Square: _____
No: _____ Floor: _____ Door: _____ Town/City: _____
Postcode: _____ Phone: _____ Fax: _____ Email address: _____

Details for notification purposes: _____

Details of the company's legal representative

Personal ID number: _____ Name and surname: _____
Position: _____

I REQUEST:

Authorisation as a gaming company, as:

- Manufacturer
- Machine operator. Maximum number of machines to be operated: _____
- Technical services:
- Distributor/marketer
- Interconnection service provider

I DECLARE:

That I accompany with my application the following documentation attached in accordance with Article 5.7 of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules:

- Copy of DNI/NIF (National Identity Document/Tax Identification No)
- In the case of a commercial entity, a photocopy of the DNI of its administrators or managers.
- Negative certificate of the Central Criminal Records Registry, together with the supplementary declaration referred to in Law 68/1980, of 1 December 1980, on the issuance of certificates and reports of citizen conduct.
- Copy of the deed of incorporation of the company registered in the Commercial Register.
- Proof of being up to date with the payment of the Tax on Economic Activity (IAE) or entry in the registry.
- Certificate showing that the company is up to date with its tax obligations and with Social Security.
- Certifications of the company's registration and its employees' tax contribution
- Document proving payment of the administrative fee.
- Proof of formalising the guarantee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20____.

Signed

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE

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ANNEX II

Application for renewal of authorisation as a gaming company

Company details

TAX IDENTIFICATION CODE (CIF): _____
 Name: _____ Street/Square: _____
 _____ No: _____ Floor: _____ Door: _____ Town/City: _____
 _____ Postal Code: _____ Phone: _____ Fax: _____ Email address: _____
 _____ Registered in the Gaming Register with number: _____

Details of the company's legal representative

Personal ID number: _____ Name and surname: _____
 Position: _____

I REQUEST:

Renewal of registration and authorisation as a gaming company.

I DECLARE:

That I accompany with my application the following documentation attached in accordance with Article 5.8 of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules:

- Copy of DNI/NIF (National Identity Document/Tax Identification No).
- In the case of a commercial entity, a photocopy of the DNI of its administrators or managers.
- Negative certificate of the Central Criminal Records Registry, together with the supplementary declaration referred to in Law 68/1980, of 1 December 1980, on the issuance of certificates and reports of citizen conduct.
- Copy of the deed of incorporation of the company registered in the Commercial Register and any subsequent amendments.
- Proof of being up to date with the payment of the Tax on Economic Activity (IAE) or entry in the registry.
- Certificate showing that the company is up to date with its tax obligations and with Social Security.
- Certifications of the company's registration and its employees' tax contribution
- Document proving payment of the administrative fee.
- Proof of formalising the guarantee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

Signed

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ANNEX III

Application for interconnection of type B machines

Company details

Mr/Ms _____, with DNI/NIE (National Identity Document/Foreigner Identification No) _____, on behalf of the entity _____ with CIF (Tax Identification Code) _____ registered in the Gaming Register with the number _____

I REQUEST:

The authorisation of the interconnection as follows:

Type of interconnection: B1 B2 B3 B1, B2 and B3 B1 and B2 B4

Interconnection system:

Approval No: _____ Name: _____

Company providing the interconnection service:

Registration No: _____ Name: _____

Server location: _____

Maximum prize amount: _____ €

List of interconnecting machines:

Authorisation No of operation/interconnection	Establishment	
	File No	Name

DECLARE that I accompany to my application the following attached documentation in accordance with Article 24(2) of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules:

- Document proving payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, of _____ 20__

Signed _____

OPERATING COMPANY

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DECLARATION OF CONFORMITY

Mr/Ms _____, with DNI/NIE
_____ on behalf of the entity _____
_____, with CIF
_____, registered in the Gaming Register with the No _____ as the owner of
the establishment with file number: _____ Name: _____

I agree with this request for interconnection, in accordance with Article 24(1) of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules.

_____, of _____ 20__

Signed _____

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX IV

Application for alteration to interconnection of type B machines

Company details

Mr/Ms _____, with DNI/NIE (National Identity Document/Foreigner Identification No) _____, on behalf of the entity _____ with CIF _____ registered in the Gaming Register with the number _____

I REQUEST:

The following alteration to the interconnection authorisation detailed below:

Interconnection No: INT-_____

List of machines altering interconnection:

Registered/ withdrawn/no changes	Authorisation No of operation/interconnection	Establishment	
		File No	Name

DECLARE that I accompany to my application the following attached documentation in accordance with Article 24(2) of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules:

- Document proving payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

Signed _____

OPERATING COMPANY

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DECLARATION OF CONFORMITY

Mr/Ms _____, with DNI/NIE (National Identity Document/Foreigner Identification No) _____, on behalf of the entity _____ with
CIF _____, registered in the Gaming Register with the number _____ as the owner of
the establishment with the file number: _____ Name: _____

I agree with this request for alteration of interconnection, in accordance with Article 24(1) of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules

_____, ____ of _____ 20__

Signed _____

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX VI

Application for alteration of interconnection of type C machines

Company details

Mr/Ms _____, with DNI/NIE (National Identity Document/Foreigner Identification No) _____, on behalf of the entity _____ with CIF _____ registered in the Gaming Register with the number _____

I REQUEST:

The alteration of the authorisation for the interconnection as follows: Interconnection No:

INT- _____

List of machines altering interconnection:

Registered/ withdrawn/no changes	Authorisation No of operation/interconnection	Establishment	
		File No	Name

DECLARE that I accompany to my application the following attached documentation in accordance with Article 24(2) of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules:

- Document proving payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed _____

OPERATING COMPANY

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE

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ANNEX VII

Application for approval of type B and C machine models

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity _____
_____ with CIF _____ registered in the Gaming Register with the number _____

I REQUEST:

The approval of:

Model name _____

- Type B1
- Type B2
- Type B3

- Type B4
- Type C

DECLARE that I accompany to my application the following attached documentation in accordance with Article 34(1) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Machine file.
- Descriptive report on how to use and play. Copy where the program or software is stored.
- Certification of the prior laboratory tests.
- Proof of payment of the administrative fee

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

Signed

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ANNEX VIII

Application for alteration of type B and C machine model approvals

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity ____
_____ with CIF ____ registered in the Gaming Register with the number ____

I REQUEST:

The substantial alteration of the type-approval of the machine _____ with approval number _____.

DECLARE that I accompany to my application the following attached documentation in accordance with Article 34(1) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Machine file.
- Descriptive report on how to use and play.
- Copy where the program or software is stored.
- Certification of the prior laboratory tests.
- Laboratory certification that guarantees the non-substantiality of the change practised.
- Proof of payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

Signed

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX IX

Application of approval of gaming material

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity ____
_____ with CIF _____ registered in the Gaming Register with the number ____

I REQUEST:

The approval of:

Model name: _____

Type of material: _____

DECLARE that I accompany to my application the following attached documentation in accordance with Article 35(3) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Machine file.
- Descriptive report on how to use and play.
- Copy where the program or software is stored.
- Certification of the prior laboratory tests.
- Proof of payment of the administrative fee

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

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Signed

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX X

Application for provisional approval of machine and game models and of games.

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity _____
_____ with CIF _____ registered in the Gaming Register with the number _____

I REQUEST:

Authorisation for testing of prototypes of:

- The machine (name) _____ with number _____ and series _____
 - Type B1
 - Type B2
 - Type B3
 - Type B4
 - Type C

The game (name) _____

DECLARE that I accompany to my application the following attached documentation in accordance with Article 35(3) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Technical and operating report.
- Affidavit for assuming responsibilities.
- Number of machines to be installed.
- Indication of the operating company with which the test is conducted.
- Document of compliance signed by the operating company and the owner of the establishment where the test is conducted.
- List of establishments where the tests will be conducted.
- Start date of the test and its duration.
- In the case of games, explicit consent of the operating company that owns the machine.
- Proof of payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

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Signed

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ANNEX XI

Application for the authorisation of testing laboratories

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity ____
_____ with CIF _____ registered in the Gaming Register with the number ____

I REQUEST:

Authorisation as a test laboratory.

DECLARE that I accompany to my application the following attached documentation in accordance with Article 42(3) and 42(4) of the Gaming Machines Regulation, companies, establishments dedicated to their operation and other gaming rules:

- Document containing the name of the entity, legal nature and registered office.
- In the case of legal persons, certified copy of the deed of incorporation.
- Nominal relationship and personal data of personnel providing services in the laboratory.
- Affidavit.
- In the case of a private entity, certified copy of the insurance policy.
- Accreditation in industrial quality and safety, in accordance with Article 42(4) of the Regulation.
- Proof of payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

Signed

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX XII

Application for renewing the authorisation of testing laboratories

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity ____
_____ with CIF _____ registered in the Gaming Register with the number ____

I REQUEST:

Renewal of the authorisation of testing laboratories.

DECLARE that I accompany to my application the following attached documentation in accordance with Article 42(3) and 42(4) of the Gaming Machines Regulation, companies, establishments dedicated to their operation and other gaming rules:

- In the case of legal persons, certified copy of the updated deed of incorporation.
- Nominal relationship and personal data of personnel providing services in the laboratory.
- Affidavit.
- In the case of a private entity, certified copy of the insurance policy.
- Accreditation in industrial quality and safety, in accordance with Article 42(4) of the Regulation.
- Proof of payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX XIII

Application for authorisation to operate machinery

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity ___
_____ with CIF _____ registered in the Gaming Register with the number ____

I REQUEST:

The authorisation for the operation of the machines indicated below:

Operation authorisation No	Serial No	Machine No
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

DECLARE that I accompany to my application the following attached documentation in accordance with Article 48(4) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Certification of the manufacturer or importer of the gaming machine;
- Proof of payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed _____

OPERATING COMPANY

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ANNEX XIV

Application for renewal of machine operation

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity ___
_____ with CIF _____ registered in the Gaming Register with the number ____

I REQUEST:

Renewal of the operating authorisation for the following machines:

Operation authorisation No	Serial No	Machine No
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

DECLARE that I accompany to my application the following attached documentation in accordance with Article 49(2) of the Regulation on gaming machines, companies, establishments dedicated to their operation and other gaming rules:

- Report proving that the machine operates.
- Proof of payment of the administrative fee.

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this communication and that are not presented, by means of telematic transmissions of data or of the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed _____

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ANNEX XV

Application to withdraw the authorisation for operation of the machine

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity __
_____ with CIF _____ registered in the Gaming Register with the number ____

I REQUEST:

The withdrawal of the operating authorisation of the following machines:

Operation authorisation No	Serial No	Machine No
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

DECLARE that I accompany to my application the following attached documentation in accordance with Article 51(1) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

Explicit renunciation request accompanied by storage report and machine identification plate.

Destruction certificate.

_____, ____ of _____ 20__

Signed _____

OPERATING COMPANY

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE

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ANNEX XVII

Application for operating authorisation for change by replacing machines (exchange)

Company details

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity _____
_____ with CIF _____ registered in the Gaming Register with the number _____

I REQUEST:

The replacement of the operating authorisation for the following machines:

Machine withdrawn

Authorisation No _____ serial No. _____ machine No _____ file No. _____

Machine registered

Serial No. _____ Machine No _____

DECLARE that I accompany to my application the following attached documentation in accordance with Article 54(3) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Certificate from the manufacturer of the machine registered.
- Proof of payment of the tax rate of the replaced machine replaced.
- Proof of payment of the administrative fee.

The machine registered will be installed in the same gazette of the machine withdrawn

_____, _____ of _____ 20__

Signed _____

OPERATING COMPANY

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE

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ANNEX XVIII

Application for authorisation for installation of type B machines

Details of the owner of the establishment

Mr/Ms/Company name _____ with DNI/CIF _____, address
_____ No _____ Town/City
_____ Postcode _____ Phone _____ Fax _____ Email

Details of the establishment

Name _____ Street/Square
_____ No _____ Premises _____
Town/City _____ Postcode _____

Details of operating company;

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity __
_____ with CIF _____ registered in the Gaming Register with the number __

WE REQUEST:

Authorisation for the installation of type B gaming machines in that establishment.

WE DECLARE the application is accompanied by the following attached documentation in accordance with Article 59(3) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Photocopy of the NIF/CIF of the owner of the establishment.
- Copy of the municipal operating licence or equivalent document.
- Document unequivocally proving the availability of the premises to the owner of the establishment.
- Affidavit that the premises do not fall under any of the restrictions listed in Article 56.6.
- Plan of the premises, proof that the premises are isolated from the passage area.
- In the case of legal persons, deed of incorporation, identification of partners and administrators and powers granted in favour of third parties.
- Proof of payment of the administrative fee.

_____, _____ of _____ 20__

Signed _____
OWNER OF ESTABLISHMENT

Signed _____
OPERATING COMPANY

I AUTHORISE:

To make queries in public files in order to confirm the aforementioned data or documents so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this application and which are not submitted, by means of telematic transmissions of data or the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

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Signed _____
OWNER OF ESTABLISHMENT

I AUTHORISE:

To make queries in public files in order to confirm the aforementioned data or documents so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this application and which are not submitted, by means of telematic transmissions of data or the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed _____
OPERATING COMPANY

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX XIX

Notification of change of authorisation holder for installation of type B machines

Details of the owner of the establishment

Mr/Ms/Company name _____ with DNI/CIF _____, address
_____ No _____ Town/City
_____ Postcode _____ Phone _____ Fax _____ Email _____

Details of the establishment

Name _____ Street/Square _____
_____ No _____ Premises _____
Town/City _____ Postcode _____ File No _____

Details of operating company;

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity ____
_____ with CIF _____ registered in the Gaming Register with the number ____

WE COMMUNICATE:

The change in ownership of said establishment.

WE DECLARE the application is accompanied by the following attached documentation in accordance with Article 61(3) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Photocopy of the NIF/CIF of the owner of the establishment.
- Copy of the municipal operating licence or equivalent document.
- Document unequivocally proving the availability of the premises to the owner of the establishment.
- In the case of legal persons, deed of incorporation, identification of partners and administrators and powers granted in favour of third parties.
- Proof of payment of the administrative fee.

_____, _____ of _____ 20__

Signed _____
OWNER OF ESTABLISHMENT

Signed _____
OPERATING COMPANY

I AUTHORISE:

To make queries in public files in order to confirm the aforementioned data or documents so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this application and which are not submitted, by means of telematic transmissions of data or the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

Signed _____

http://www.caib.es/eboibfront/pdf/es/2019/71/1034878





OWNER OF ESTABLISHMENT

I AUTHORISE:

To make queries in public files in order to confirm the aforementioned data or documents so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this application and which are not submitted, by means of telematic transmissions of data or the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed _____
OPERATING COMPANY

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX XX

Application for renewal of authorisation for installation of type B machines

Details of the owner of the establishment

Mr/Ms/Company name _____ with DNI/CIF _____, address
_____ No _____ Town/City
_____ Postcode _____ Phone _____ Fax _____ Email

Details of the establishment

Name _____ Street/Square _____
_____ No _____ Premises _____
Town/City _____ Postcode _____ File number _____

Details of operating company;

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity __
_____ with CIF _____ registered in the Gaming Register with the number ____

WE REQUEST:

The renewal of the authorisation for the installation of type B gaming machines in that establishment.

WE DECLARE the application is accompanied by the following attached documentation in accordance with Article 59(3) of the Regulation on gaming machines, undertakings, establishments dedicated to their operation and other gaming rules:

- Photocopy of the NIF/CIF of the owner of the establishment.
- Copy of the municipal operating licence or equivalent document.
- Document unequivocally proving the availability of the premises to the owner of the establishment.
- Affidavit that the premises do not fall under any of the restrictions listed in Article 56.6.
- Plan of the premises, proof that the premises are isolated from the passage area.
- In the case of legal persons, deed of incorporation, identification of partners and administrators and powers granted in favour of third parties.
- Proof of payment of the administrative fee.

_____, _____ of _____ 20__

Signed _____
OWNER OF ESTABLISHMENT

Signed _____
OPERATING COMPANY

I AUTHORISE:

To make queries in public files in order to confirm the aforementioned data or documents so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this application and which are not submitted, by means of telematic transmissions of data or the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, _____ of _____ 20__

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Signed _____
OWNER OF ESTABLISHMENT

I AUTHORISE:

To make queries in public files for the purpose of accrediting the aforementioned data or documents, so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this application and which are not submitted, by means of telematic transmissions of data or the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed _____

OPERATING COMPANY

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE





ANNEX XXI

Communication of location of type B or C machine

Details of operating company;

Mr/Ms _____ with DNI/NIE _____ on behalf of the entity __
_____ with CIF _____ registered in the Gaming Register with the number ____

I COMMUNICATE:

The location of the following gaming machine:

Establishment where this is installed

Name: _____ File No _____

Machine installed

Guide No _____ and serial number _____

Machine to be removed (if applicable)

Guide No _____ and serial number _____

I AUTHORISE:

To make queries in public files in order to confirm the aforementioned data or documents so that they can be obtained on my behalf by the competent or authorised body, by means of telematic transmissions of data or the certificates that replace them.

The managing body to obtain the data and documents of other administrations included in this application and which are not submitted, by means of telematic transmissions of data or the certificates replacing them, provided that this has been established by agreement with the competent administration.

_____, ____ of _____ 20__

Signed _____
OPERATING COMPANY

DIRECTORATE-GENERAL OF TRADE AND ENTERPRISE. GAMING SERVICE

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