

REGULATORY IMPACT ANALYSIS REPORT

Draft Decree xx/2024 of xx xxxx Amending the Catalogue of Games and Betting of the Region of Murcia and the Bingo Regulations of the Region of Murcia

This report has been prepared in accordance with the provisions of Articles 46.3 and 53.1 of Law 6/2004 of 28 December on the Statute of the President and the Governing Council of the Region of Murcia, following the structure established in the Methodological Guide for the Preparation of the Regulatory Impact Analysis Report (hereinafter RIAR), which was approved through Agreement of the Governing Council of 28 July 2022, consisting of the following headings:

1. Executive summary.
2. Timeliness and technical reasoning for the regulatory proposal.
3. Content, legal analysis and description of the procedure for the regulatory proposal.
4. Study of administrative burdens.
5. Budgetary impact.
6. Economic impact.
7. Gender impact.
8. Impact on gender diversity.
9. Impact on children and adolescents.
10. Impact on the family.
11. Impact on the 2030 Agenda.
12. Impact with regard to equal opportunities, non-discrimination or universal access for persons with disabilities.
13. Regulatory assessment.

1. EXECUTIVE SUMMARY SHEET.

Governing body	Tax Agency of the Region of Murcia
Proposing department	Ministry of Economy, Finance and Business.
Title of standard	Decree xx/2024 of xx xxxx amending the Catalogue of Games and Betting of the Region of Murcia and the Bingo Regulations of the Region of Murcia
Type of report	Regular basic
Date	11 March 2024



TIMELINESS AND TECHNICAL REASONING

<p>Subject</p>	<p>Due to technological advances and the trends in demand, the rules governing the electronic modalities of the game of bingo (electronic bingo and automatic bingo) incorporated in 2010 in the Catalogue of Games and Betting of the Region of Murcia and the Regulation of the Game of Bingo of the Region of Murcia have become obsolete.</p>
<p>Purpose of the Draft</p>	<p>Adaptation of the bingo regulations to the electronic modalities derived from the use of new technologies, regulating two electronic modalities of bingo: electronic bingo and electronic hall bingo.</p> <p>The composition of the Games and Betting Commission of the Region of Murcia, and its rules of operation, are also amended, adapting them to the regime of the Law on the Legal Rules Governing the Public Sector.</p>
<p>Main alternatives considered</p>	<p>After discarding the zero alternative, the modalities present in other Autonomous Communities have been evaluated, which in turn reflect the trends in demand.</p>

CONTENT, LEGAL ANALYSIS AND PROCESSING

<p>Type of regulation</p>	<p>Decree</p>
<p>Competence of the Autonomous Community of the Region of Murcia</p>	<p>Article 10. 1. 22 of the Statute of Autonomy of the Region of Murcia.</p>
<p>Structure and content of the provision</p>	<p>Two articles, one additional provision, one transitional provision, and three final provisions</p>
<p>Inclusion of the proposal in the Annual Regulatory Plan?</p>	<p>No</p>
<p>New developments</p>	<p>The technical, functional, and operational characteristics applicable to the two electronic modalities of the game of bingo (electronic bingo and electronic hall bingo) are regulated, replacing the previous regulation of electronic bingo and automatic bingo.</p> <p><u>Electronic bingo</u> will be managed in its entirety by one or more companies authorised by the competent Ministry for gambling as a Distribution Network, to which bingo halls intending to organise it must adhere.</p> <p>However, the organisation and operation of <u>electronic hall bingo</u> is carried out by the company holding the bingo hall</p>



	<p>authorisation, and the bingo cards or game units may be electronic or physical (it does not allow for the use of several halls simultaneously).</p> <p>The rules for the organisation and operation of electronic bingo are relaxed, leaving greater leeway in the configuration of the bingo card and the winning combinations to the proposals submitted by the bingo operators.</p>
<p>Provisions whose validity is affected</p>	<p>There are no know affected provisions, except, logically, the rules that are being modified</p>
<p>Hearing process</p>	<p>A prior public consultation took place between 1 and 20 December 2022 (Article 133.1 of Law 39/2015).</p> <p>A hearing and public information procedure will be launched through the Official Gazette of the Region of Murcia.</p> <p>Organisations and associations bringing together or representing citizens, whose purposes are directly related to the object of the provision, may also be involved through their participation in the Games and Betting Commission of the Region of Murcia (Article 4.1(a) of Decree 311/2009).</p> <p>The draft Decree will undergo the procedure for the provision of information in the field of technical standards and regulations and of rules on Information Society services laid down in Royal Decree 1337/1999 of 31 July 1999.</p>
<p>Reports received</p>	<p>A report will be requested from the General Secretariat of the various Ministries; and the Deputy Secretariat of the Ministry of Finance (Article 53.2 of Law 6/2004).</p> <p>Mandatory opinions will also be sought from the following advisory bodies:</p> <ul style="list-style-type: none"> - Economic and Social Council (Article 5(a) of Law 3/1993). - Directorate for Legal Services (Article 7(f) of Law 4/2004). - Legal Council (Article 12.5 of Law 2/1997).
STUDY OF ADMINISTRATIVE BURDENS	
<p>Does it affect administrative burdens?</p>	<p>Yes, it does.</p>
IMPACT ANALYSIS	
<p>Budgetary impact</p>	<p>Positive</p>



Economic impact	None
Gender impact	None
Impact on gender diversity	None
Impact on children and adolescents	None
Impact on the family	None
Impact on the 2030 Agenda	None
Regulatory assessment	Yes, it is foreseen through two indicators, with an evaluation report after 5 years of validity

2. TIMELINESS AND TECHNICAL REASONING.

a) Context

The widespread use of Information and Communication Technologies (ICT), and the Internet, in particular, has led to a substantial change, both at State level and in other countries, in the traditional interpretation of gambling. The expansion that online gambling has been experiencing in recent years is defining a new reality for the sector.

Within the current structure of this electronic gambling modality, various types are noted, such as poker, casino games, horse race betting, sports betting, online bingo, and online lotteries.

In this context, global online gambling generated EUR 26.6 billion in 2013. The European market is the largest online industry worldwide, accounting for 47.7 % of the total actual spending, ahead of continents such as Asia and the US, which accounted for 29 % and 2 % respectively, in 2013¹.

If we look at the game of bingo, in particular, the new forms of electronic bingo seek to attract new customers and, especially, customers adapted to new technologies. Within this framework,

¹ According to the II White Paper on Gambling of the Basque Country, p. 112 (available at www.euskadi.eus)

the trend in the bingo subsector is to diversify and modernise the offer. At State level, a generalised tendency is observed for bingo halls to offer electronic bingo instead of traditional bingo, thus orienting the game towards profiles more accustomed to the use of new technologies.

On the other hand, it should be noted that electronic bingo, in addition to ensuring greater privacy and simplicity when playing, allows different halls to be interconnected, thus, offering larger prizes and a more attractive offer.

b) Problems to be solved or situations expected to be improved with the application of the legislation.

As a result of this technological and social evolution, the current Bingo Regulation of the Region of Murcia, approved by Decree No 194/2010 of 16 July 2010, as well as the Catalogue of Games and Betting of the Region of Murcia, regulated by Decree No 217/2010 of 30 July 2010, introduced for the first time, together with the regulation of the traditional bingo game, electronic modalities, such as electronic bingo and automatic bingo, configuring these electronic modalities as complementary to the main modality, which is the traditional one.

In these new electronic modalities of bingo games, both in electronic bingo, and automatic bingo, the game is conducted with electronic cards, and the participation of the players is facilitated through machines or devices that automatically assign the numbers determining the prizes, which are observed and controlled by terminals with screens.

In turn, the Catalogue of Games and Betting contains the rules regarding the description, elements, rules, and development of, as well as the winning combinations for the three games regulated in the Bingo Game Regulations: traditional bingo, electronic bingo, and automatic bingo.

However, information technologies advance faster every day, and the electronic modalities of the game of bingo implemented by Decree No 194/2010 of 16 July 2010, as regulated by that decree, have given way to new modalities based on technological advances, trying to meet the demands of bingo users who participate in the culture of the Information society. This lively evolution experienced by the electronic modalities of bingo in the 13 years of validity of this Decree has rendered several of the decisions that affected electronic and automatic

bingo **obsolete**, and its modification is advised to adapt to technological developments and social trends. In fact, after 13 years of the current system, there is only one bingo hall authorised for practising automatic bingo (authorisation granted in July 2021).

In particular, the need for bingo halls to continue providing new commercial offers of this game is evident, although in turn without losing the old essence of the game of bingo, so that players who do not wish to give up the classic version, but who are also accustomed to finding new technologies in the leisure activities they practice, when attending bingo halls, find a novel product, which combines tradition and technology.

c) The different alternatives existing to address the situation that arises.

In the process of drafting the regulation, the different alternatives of electronic bingo gaming have been examined, taking as a reference those present in the different Autonomous Communities, and also taking into account the peculiarities of gambling companies in our Region.

At national level around 2007, in view of the stagnation experienced by the bingo sector at that time, there was a reaction to seek out alternatives with new forms of playing, interconnected rooms, electronic bingo, dynamic bingo, convergence between land-based bingo and online bingo, etc.

Bingo halls have been undergoing a transformational process for years, with the aim of becoming leisure centres offering a varied range of games and more interesting types of bingo for their customers. Electronic bingo has been gradually implemented since 2014 in various Autonomous Communities, such as Aragon, Castile-La Mancha, Cantabria, Castile and Leon, Catalonia, Madrid and the Basque Country.

Companies are pushing for the introduction of more attractive and modern formats with the various regional authorities. Several versions have been authorised: 'Electronic hall bingo', in Castile and Leon, since June 2020; in Andalusia, since August 2019, as well as in the Canary Islands and Cantabria; 'Derivado' in Asturias; 'Maxibingo' in Castile and León; 'Plus' in Castile-La Mancha and Catalonia; 'Dinámico' in Madrid; 'E-plus' in the Basque Country, and 'Mixto' in Rioja and Extremadura. Although these names may have some variation in each Community, they all feature allowing higher percentages of sales to be allocated to prizes, with a general minimum of 70 %, more varied prizes and, thus, a better adaptation to demand. In addition, the

interconnection of halls through electronic bingo allows games to be offered with higher prizes shared by several halls.

The tables presented below present, on the one hand, the evolution of sales of traditional bingo in the Region of Murcia and, on the other hand, the evolution of sales of electronic and traditional bingo cards in those Communities that made provisions for it in their legislation. They depict the progressive decrease in card sales in the Region of Murcia, as well as the increase in sales in the Communities implementing these new modalities (although the incidence of the pandemic may affect these conclusions).

SALE OF TRADITIONAL BINGO CARDS IN THE REGION OF MURCIA.

FISCAL YEAR	2017	2018	2019	2020	2021	2022	2023
TOTAL	35 073 648	35 516 880	36 150 048	19 525 536	25 497 504	31 936 032	34 583 760

Source: The Community's Statistical and Gambling Services.

SALE OF ELECTRONIC BINGO CARDS IN THE REGION OF MURCIA.

FISCAL YEAR	2021	2022	2023
TOTAL	4 210	62 297.05	47 221.3

Source: Statistical and Gaming Services of the Community.

SALE OF PHYSICAL BINGO CARDS AND ELECTRONIC MODALITIES PER AUTONOMOUS COMMUNITY

FISCAL YEAR	2015	2016	2017	2018	2019
Andalusia	217 496 000	215 867 592	232 797 950	242 126 000	248 131 081
Physical B.	217 496 000	215 867 592	232 797 950	242 126 000	187 270 000
Electronic B.	-	-	-	-	61 161 081
Aragon	83 977 513	84 173 171	88 884 327	103 544 672	95 708 121
Physical B.	78 997 408	80 809 513	81 776 327	84 652 987	73 704 111
Electronic B.	4 980 105	3 363 658	7 108 000	18 891 685	22 004 010
Canary Islands	153 081 035	165 000 000	173 361 000	171 656 000	184 983 140
Physical B.	153 081 035	165 000 000	173 361 000	171 656 000	173 470 140
Electronic B.	-	-	-	-	11 513 000
Cantabria	18 078 275	18 653 120	18 892 504	19 092 000	21 181 000
Physical B.	13 781 557	14 130 000	13 883 504	13 635 000	14 898 000
Electronic B.	4 296 718	4 523 120	5 059 000	5 457 000	6 283 000
Castile-La Mancha	20 974 745	19 713 772	19 778 598	19 518 509	19 496 392
Physical B.	16 952 922	16 637 110	16 739 000	16 364 000	16 192 000
Electronic B.	4 021 823	3 076 662	3 039 598	3 154 509	3 304 392




	AGENCY REGION OF MURCIA				Región de Murcia
Castile and Leon	95 212 121	75 823 897	80 663 741	80 744 531	80 806 000
Physical B.	64 494 332	64 561 306	65 906 080	65 753 941	67 098 000
Electronic B.	30 717 789	11 262 591	14 757 661	14 990 589	13 708 000
Catalonia	300 889 142	302 609 281	302 818 667	302 125 937	293 539 184
Physical B.	284 713 514	287 504 868	289 707 371	288 439 000	280 041 612
Electronic B.	16 175 628	15 104 413	13 111 296	13 686 937	13 497 572
Extremadura	27 105 000	28 080 920	28 198 601	26 811 000	30 448 000
Physical B.	26 800 000	27 845 920	27 813 601	26 489 000	30 137 000
Electronic B.	305 000	235 000	385 000	322 000	311 000
Madrid	367 211 7456	379 051 085	386 588 691	419 128 172	424 714 816
Physical B.	336 540 000	353 770 000	365 488 909	397 796 735	400 898 181
Electronic B.	30 671 756	25 281 085	21 099 782	21 331 437	23 816 635
Basque Country	82 307 946	83 881 435	84 162 800	82 800 682	83 320 484
Physical B.	63 507 946	68 166 435	68 149 091	66 101 682	65 988 484
Electronic B.	18 800 000	15 715 000	16 013 709	16 699 000	17 332 000
Valencia	291 399 143	341 361 398	375 790 305	394 083 000	409 637 000
Physical B.	270 265 000	264 974 000	264 433 572	254 514 284	250 869 000
Electronic B.	21 134 143	76 387 398	111 356 733	139 603 000	158 768 000

Source: The CODERE Foundation's Year Book of Gaming in Spain

However, when proposing this legislative change, it was first verified that the current regulation had become outdated in several aspects (absence of a modality that reconciles electronic bingo with the traditional one of physical cards, need to adapt the regime of the means of payment, adaptation of the regulation to technological innovation, etc.). This implied the need to discard the so-called 'zero alternative', no action, which is not deemed appropriate, also taking into account the electronic bingo modalities that have already been implemented in most of the Autonomous Communities, and the modification of its current configuration being a repeated demand from the sector in the Region.

Next, in view of the evolution we have described, it was noted that the changes had to focus on the modalities of electronic bingo. The regulation of the electronic bingo modality in the current system is broader than that of automatic bingo, the latter being considered a sub-modality of the former. However, until now, there has not been a combined form of electronic and traditional bingo. For all the reasons stated above, the decision to abolish the automatic bingo modality has been made, which can also be operated under the regulation of electronic bingo. In turn, a new

form of bingo is introduced, combining electronic play with the possible use of physical cards, which is referred to in this proposal as 'electronic hall bingo'. At the same time, the opportunity is taken to update the regulation of all electronic aspects of bingo that had become outdated.

Thus, the two electronic modalities regulated in the draft follow the model used in most of the Autonomous Communities. The electronic bingo modality is similar to those in Andalusia, Cantabria, Castile-La Mancha, Castile and León, Catalonia, Extremadura, Madrid or the Basque Country. As regards the electronic hall bingo modality, it is gradually being implemented in other Autonomous Communities under different names (dynamic bingo, mixed bingo, bingo e-plus), as is the case in the Autonomous Community of Castile and Leon, which has regulated it through Order PRE/474/2020 of 3 June on the introduction of the electronic bingo variant called 'electronic hall bingo'; in the Autonomous Community of Cantabria, which has introduced it through Order PRE/4/2019 of 29 January regulating a new variant of electronic bingo in the Autonomous Community of Cantabria, called 'Electronic hall bingo'; or in the Autonomous Community of Madrid, which approved dynamic bingo by means of the Order of 13 January 2016 of the Minister for Economy, Employment and Finance of the Community of Madrid.

d) The reasons of general interest justifying the adoption of the legislation.

As is well known, gambling is a regulated business activity, subject to prior authorisation, which the public authorities must control. This activity has intrinsic characteristics that make such control necessary, establishing mechanisms that provide security to the participants in the games, guarantee the protection of minors and those who need it in cases of addiction or risk of addiction, and ensure public order in the development of the games, preventing fraud. Therefore, these reasons require the public authorities to establish special control and intervention in this business activity in order for it to develop responsibly within the framework of a regulation that, regardless of its fiscal and tax aspects, tends to guarantee the protection of other priority rights that protect citizens, without prejudice to the sustainability of companies as well as the jobs that this sector employs and generates.

What we thus identify as public interests affected by any rule that regulates the game of bingo are, first, the protection of consumers and users, of children and youth, of groups that may develop addictions or problematic gambling (which includes both ensuring their physical and mental health and the defence of their economic, personal, and family rights); and, second, the protection of citizens in general against possible tax fraud or money laundering.

The protection of these public interests must be reconciled with the freedom of entrepreneurship of companies operating in or entering the sector. In short, the Administration has the obligation to find the necessary balance between the principle of freedom of economic initiative and the need to prevent the effects that a disorderly practice of gambling can have on public order, health and public security.

This balance, speaking of bingo, in particular, requires, on the one hand, being attentive to the trends adopted by the game of bingo regionally, nationally, and globally, so that the reality that is regulated – the game of bingo in its different modalities – reflects the real evolution of the preferences of users and of the gambling market, and makes possible an attractive game offer for the consumer, which allows for the development of the activity according to criteria of economic rationality and with an industry in continuous innovation.

On the other hand, it is also necessary that the new regulations introduced include all the precautions necessary to guarantee public order, health, and safety of persons, on the basis of the principles of necessity and proportionality for the establishment of restrictions on economic activity, focusing on those particularly sensitive groups of users who require special protection.

Logically, this reconciliation requires a periodic review of the regulatory framework, as well as its modification when the need arises.

e) Objectives pursued.

The main purpose of this Decree is, therefore, following the incorporation of new technological elements, to amend the regulatory rules that contain the main regulation of the game of bingo in its electronic modalities – the Bingo Regulation, and the Catalogue of Games and Betting of the Region of Murcia – updating the technical, functional, and operational characteristics applicable to electronic bingo, and regulating those of a new game – electronic hall bingo – a variant of electronic bingo that offers both the possibility of playing on electronic terminals and the option of printing the cards.

In short, the aim is to modernise the regulation of the bingo sector to accommodate the gambling offer to the demands of consumers, and the requirements arising from the use of new technologies.

On the other hand, this regulation approves a series of amendments considered necessary for the proper functioning of the administrative management of gambling, amending the Regulation governing the composition, organisation and functioning of the Games and Betting Commission, approved by Decree 311/2009 of 25 September 2009, with two objectives: 1) the necessary adaptation to the regime of the collegiate bodies established in Law 40/2015 of 1 October 2015 on the Legal Rules governing the Public Sector; and 2) the incorporation into its composition of a representative of the betting sector, once this new game modality has been consolidated following the approval of Decree 126/2012 of 11 October 2012 approving the Regulation on Betting in the Region of Murcia.

f) Groups affected.

In the Region of Murcia, there are five authorised bingo halls in operation, two of which are located in Cartagena and three in Murcia. These halls are the primary group affected by the regulation, as the electronic bingo modalities in question can only be practised in these halls.

New companies wishing to develop electronic bingo modalities in the future will also be affected.

These new companies will, simultaneously, develop the traditional game modality. It should be remembered that the regulatory change being analysed does not eliminate the rule currently in force, which establishes traditional bingo as the main modality and electronic modalities as complements to it; with the consequence that in no case can the electronic modalities be developed if the traditional bingo modality is not also developed (see Article 3 of the Regulation of the Bingo Game of the Region of Murcia, both the current and the proposed wording).

g) Technical innovations introduced by the regulation.

Here, only the technical elements regulated in the analysed draft will be presented, which serve as a basis for the development of electronic game modalities. In the next section, in the presentation of the content of the law (in point h), the requirements and the operation of the new electronic modalities are explained.

The innovations introduced by the draft, related to the technical support of the **electronic bingo**, are the following:

1. The Distribution Network, to which bingo halls must be affiliated for the operation of electronic bingo in the halls which, in turn, must have a technical system and other games and betting elements that ensure its security and transparency.

2. The technical system, both in electronic bingo and in electronic hall bingo, must have traceability mechanisms for recording the operations carried out and allow for the storage of data for each game held, regarding the number of game units sold, the total amount of sales, the numbers or representations drawn, the winning cards, and the amount of the prizes obtained, and must be approved by the governing body responsible for gambling, following a report issued by an entity accredited to it.

The technical system will have at least the following elements:

- a) A *hall server*, which will be responsible for the management and control of hall games;
- b) A *central server*, solely for electronic bingo, insofar as it is responsible for the management and control of the game when it is conducted between different bingo halls, and it must have a replica, both of which must be installed in premises under the control of the company authorised to operate the game of electronic bingo; as well as a communications server, which is responsible for channelling and ensuring the exchange of information between the hall servers and the central server.
- c) A *cashier computer system* including a cashier terminal, which will load the amounts requested by the players onto the supports intended for making collections and payments, and will indicate their balance or final credit for crediting them to the players. To this end, it will feature a computer program that controls and manages all the economic transactions made.
- d) A *verification system* which, prior to the start of each bingo hall session, will check daily that the entire system is functioning correctly.

The technical system will incorporate a secure IT connection compatible with the IT systems of the governing body responsible for gambling, for the real-time control and monitoring of the data of each game, the percentage allocated to prizes, and any other query regarding the information recorded in the system about the operations carried out. It must also allow the competent governing body responsible for gambling to block the central server, the hall server, and any or all of the electronic terminals used in the performance of the game, in the event that there are reasonable indications of any very serious infringements.

3. Electronic terminals, which will constitute each player's playing medium, which the player purchases cards, participates in the game and receives the necessary information regarding, in particular, available credits, the number of electronic cards or game units purchased, the amounts allocated to prizes, and the amount of prizes obtained by the player in each game; and which must be permanently connected to the hall server and may incorporate a light and sound device to alert the player of prize winnings.

4. The electronic card, which, in electronic bingo, will consist of numbers, symbols or graphic representations; and in electronic hall bingo, by numbers, from 1 to 90, both included, being reproduced on the terminal screen.

5. The random ball generator, which will be responsible for automatically and randomly extracting the balls with the corresponding numbers or graphic representations, and which will be part of the technical system responsible for managing and overseeing the game.

6. Information screens, which must provide information on the number of electronic cards sold, the amount of the envisaged prizes, the numbers or representations drawn, the winning card(s) and the terminal(s) where they were purchased.

7. Finally, in electronic bingo, it will be optional for the system to have an audio system to report on the same aspects as the information screens; while in the electronic bingo hall, the hall's information system will be mandatory, consisting of information screens and an audio system.

3. CONTENTS, LEGAL ANALYSIS AND DESCRIPTION OF THE PROCESSING

a) Jurisdiction of the Autonomous Community for its approval.

By virtue of Organic Law 9/1992 of 23 December 1992 on the assignment of jurisdiction to Autonomous Communities made autonomous by way of Article 143 of the Constitution, the Autonomous Community of Murcia was assigned jurisdiction over casinos, gaming and betting, with the exclusion of totalised sports betting.

The incorporation of these powers is carried out by Organic Law 4/1994 of 24 March 1994 on the Reform of the Statute of Autonomy of the Region of Murcia, which provides for the exclusive competence of our Autonomous Community in this matter. In particular, the power to issue this

legislative provision derives from Article 10.1.22 of the Statute of Autonomy of the Region of Murcia, which confers on the Region exclusive competence in matters of casinos, games and betting, except for State bets and lotteries.

In the exercise of the powers assumed, Law 2/1995 of 15 March 1995 regulating games and betting in the Region of Murcia, established the regulations applicable in this territorial scope to activities related to games and betting in their different modalities.

Article 1 thereof provides that: *'The purpose of this Law is to regulate, within the territorial scope of the Autonomous Community of the Region of Murcia, activities related to games and betting in its different modalities, by virtue of the competences conferred by Organic Law 4/1982 of 9 June 1982 on the statute of Autonomy of the Region of Murcia, as amended by Organic Law 4/1994 of 24 March 1994'*.

b) Justification of the formal status of the regulation and competence of the approving body.

Article 4 of Law 2/1995 of 15 March 1995 regulating games and betting in the Region of Murcia provides that: *'only the games and betting included in the Catalogue of Games and Betting of the Region of Murcia, may be played, which must specify, for each of them:*

- a) *The names by which they are known and their possible modalities.*
- b) *The essential elements for practising them.*
- c) *The rules by which it is governed.*
- d) *The conditions, restrictions, and prohibitions deemed necessary to impose on its practice'*.

Its first final provision authorises the Governing Council to adopt the necessary provisions for its implementation.

In particular, the Governing Council's powers in this area are listed in Article 10:

'The Governing Council of the Region of Murcia is responsible for:

1. The approval of the Catalogue of Games and Betting of the Region of Murcia.
2. *The planning of regional management in the field of games and betting in the Region, in accordance with its social, economic and taxation impacts, as well as the need to diversify gambling.*

3. The approval of the specific regulations of the games and betting included in the Catalogue, without prejudice to the following Article.'

Thus, it is for the Governing Council to approve – and subsequently amend – the Catalogue of Games and Betting of the Region of Murcia, as well as the specific regulations on games and betting (including the game of bingo).

The approval by the Governing Council of the Catalogue of Games and Betting of the Region of Murcia was carried out by Decree 217/2010 of 30 July 2010; and the Bingo Regulation was enacted through the Bingo Regulation of the Region of Murcia, approved by Decree 194/2010 of 16 July 2010.

As it is a legislative provision, the Governing Council's action to issue these rules takes the form of a decree (*'shall provisions of a general nature, as well as acts issued by the Governing Council, for which this form is expressly provided, shall take the form of a decree. Other acts of the Governing Council shall take the form of an Agreement'*: Article 25.2 of Law 7/2004 of 28 December on the organisation and legal regime of the government of the Autonomous Community of the Region of Murcia).

Provisions of a general nature, or regulations, are issued in the exercise of the regulatory power that Article 32.1 of the Statute of Autonomy for the Region of Murcia, approved by Organic Law 4/1982 of 9 June, and Article 52.1 of Law 6/2004 of 28 December on the Statute of the President and the Governing Council of the Region of Murcia, attribute to the Governing Council in matters not reserved by the Statute to the normative competence of the Regional Assembly.

In addition, given that the legislation we are analysing aims to modify previous ones approved by the Governing Council by Decree, the application of the general principle of law known as *contrarius actus* also requires the amendment to be approved by a Decree of the Governing Council.

c) Drafting and processing procedure.

The procedure to be followed in the processing of the draft legislation is that indicated in Article 53 of Law 6/2004 of 28 December 2004 on the Statute of the President and the Governing Council of the Region of Murcia, following the change introduced by the first final provision of

Law 2/2014 of 21 March 2014 on Strategic Projects, Administrative Simplification and Evaluation of the Public Services of the Autonomous Community of the Region of Murcia, which establishes the obligation to prepare a regulatory impact analysis report.

First, prior to the preparation of the draft and to comply with Article 133.1 of Law 39/2015 of 1 October on the Common Administrative Procedure of Public Administrations, between 01/12/2022 and 20/12/2022 **a prior public consultation took place** entitled '*On the revision of the current regulatory framework on the electronic modalities of bingo, as well as modification of the composition of the Games and Betting Commission of the Region of Murcia*', in order to obtain the opinion of the most representative persons and organisations concerned by the future standard. The public consultation is also one of the instruments for citizens' participation provided for in Article 33 of Law 12/2014 of 16 December 2014 on transparency and citizen participation in the Autonomous Community of the Region of Murcia.

The contributions made are included in the results report issued by the Office of Transparency and Citizen Participation of the Region of Murcia. There has only been one participant, who has made the following contributions:

I. Contributions to the section 'Issues to be addressed by this initiative':

What is necessary

II. Contributions to the section 'Need and timeliness for approval':

Fully

III. Contributions to the section 'Objectives of the regulation':

Yes

IV. Contributions to the section 'Possible alternative regulatory and non-regulatory solutions':

Minimise gambling centres

On the other hand, the draft Decree must be considered by the Games and Betting Commission of the Region of Murcia, for the knowledge of the organisations and associations that bring together or represent citizens whose purposes are directly related to the aim of the provision, as established in article 4.1(a) of Decree 311/2009 of 25 September 2009 governing the composition, organisation and functioning of the Games and Betting Commission of the Region of Murcia.

It will also be forwarded to the competent authorities, in accordance with the provisions of Article 14 of Law 20/2013 of 9 December 2013 on the guarantee of market unity.

Furthermore, the draft Decree must be submitted to the hearing procedure, in accordance with the provisions of Article 53.3(d) of Law 6/2004 of 28 December on the Statute of the President and the Governing Council of the Region of Murcia; and complying with the provisions of Article 133.2 of Law 39/2015 of 1 October 2015 on the Common Administrative Procedures of Public Administrations. For this purpose, a public information notice will be published in the Official Gazette of the Region of Murcia, indicating the deadline and availability in the Transparency Portal of the documentation subject to hearing and public information (Article 133.2 of Law 29/2015). To this end, in compliance with Article 16.1(b) of Law 12/2014 of 16 December 2014 on transparency and citizen participation in the Autonomous Community of the Region of Murcia, the draft Decree, together with this regulatory impact analysis report, will be sent for publication on the Transparency Portal.

Likewise, the draft Decree will be subjected to the procedure for the provision of information in the field of technical standards and regulations relative to information society services, pursuant to Directive 98/34/EC of the European Parliament and of the Council of 22 June, amended by Directive 98/48/EC of 20 July 1998, as well as Royal Decree 1337/1999 of 31 July 1999, which incorporates these directives into the Spanish legislation.

d) Reports or opinions requested and the outcome of their evaluation.

As we are still in the initial phase of the process, no mandatory or recommended reports have been collected. A report will be requested from the General Secretariats of the Regional Ministries; as well as from the Deputy Secretariat of the Ministry of Economy, Finance and Digital Administration, in accordance with Article 53.2 of Law 6/2004 of 28 December 2004 on the Statute of the President and the Governing Council of the Region of Murcia.

A report will also be requested from the Regional Consumer Advisory Council, regulated by Law 1/2008 of 21 April amending Law 4/1996 of 14 June 1996 on the Statute of the Consumers and Users of the Region of Murcia, as a more convenient way of integrating, into the processing, the opinion of a body representing the interests of consumers and users, without prejudice to the fact that said interests are also represented by the Games and Betting Commission of the Region of Murcia itself.

Thereafter, a mandatory opinion will be requested from the Economic and Social Council of the Region of Murcia (Article 5(a) of Law 3/1993 of 16 July 1993 on the Economic and Social Council of the Region of Murcia); from the Legal Services Directorate (Article 7(f) of Law 4/2004 of 22 October 2004 on legal aid in the Autonomous Community of the Region of Murcia); and from the Legal Council of the Region of Murcia (Article 12.5 of Law 2/1997 of 19 May 1997 on the Legal Council of the Region of Murcia, and Article 44.1 of Decree 15/1998 of 2 April 1998 approving the Regulation on the Organisation and Functioning of the Legal Council of the Region of Murcia).

e) Provisions the validity of which is affected.

This Draft does not expressly repeal any rule, but merely amends the following:

- Decree 194/2010 of 16 July 2010 approving the Bingo Regulation of the Region of Murcia.
- Catalogue of Games and Betting of the Region of Murcia, approved by Decree No 217/2010 of 30 July 2010.
- Decree 311/2009 of 25 September 2009 approving the Regulation governing the composition, organisation and functioning of the Games and Betting Commission.

f) Existing relation to union legislation.

In accordance with Article 5 of the TFEU, in areas where the competence of the European Union is not exclusive, the subsidiarity principle applies, according to which the EU only intervenes to the extent that the objectives of the Treaty cannot be sufficiently achieved by the Member States.

Therefore, the main legislative power in the field of gambling lies with the institutions of each State; although in no case may they infringe in the policies and objectives set out in the TFEU, as the union institutions, otherwise, could take the appropriate measures to prevent such a breach.

Through the approval in the Spanish Constitution, the State did not assume exclusive competence over casino, gambling, and betting activities in the list of matters in Article 149.1, allowing the Autonomous Communities of general regime to assume exclusive competence over these activities under the clause of Article 148.2 of the Magna Carta.

Accordingly, in accordance with Article 10.1.22 of the Statute of Autonomy of the Region of Murcia, the Autonomous Community of the Region of Murcia has exclusive competences in the field of casinos, gambling, and betting, excluding totalised sports betting.

By virtue of the aforementioned principle of subsidiarity, at this time there is no specific gaming legislation at European Union level, meaning that each Member State is responsible for regulating such activity within its own territory without prejudice to the obligation that Member States must comply with the rules of the Interior Market of the European Union, including the freedoms to establish and provide services.

This situation has been confirmed by the Services Directive 2006/123/EC, of the European Parliament and of the Council, on services in the internal market, as it excludes from its scope, in Article 2.2(h), 'gambling activities', in order to address at Community level the provision of online gambling services in a progressive manner through the different areas that collaterally affect it, such as the Directives on Audiovisual Media Services, on Money Laundering, or on Audio Services.

On 10 March 2009, the European Parliament adopted a Resolution on the integrity of online gambling in the European Union, which, although not binding, may influence the gambling policy of the European Union or the Member States. As its main content, that Resolution states that, in accordance with the principle of subsidiarity and the case law of the European Court of Justice, Member States have an interest and right to regulate and control gambling on their respective markets in accordance with their traditions and cultures; with the European Parliament stressing the importance for the Member State of the residence of the consumer to be able to effectively control, limit and supervise gambling services provided on its territory.

The European Parliament supports the regulatory development of gambling to the extent that, at the national level, Member States are leaning towards a system with a certain degree of market regulation which **fully upholds the protection of consumer rights, children and adolescents, players who develop gambling addiction, and the fight against aggressive advertising and marketing that incites compulsive gambling, while also supporting the fight against fraud and money laundering, and criminality.**

g) Obligation to report to Union institutions.

The provision in question is not affected by the notification obligation laid down in Article 15.7 of Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market, as it excludes from its scope of application, in Article 2.2(h), 'gambling activities'.

As already indicated, the draft Decree will be subject to the procedure for the provision of information in the field of technical standards and regulations relative to information society services, pursuant to Directive 98/34/EC of the European Parliament and of the Council of 22 June, amended by Directive 98/48/EC of 20 July 1998, as well as Royal Decree 1337/1999 of 31 July 1999, which incorporates these directives into the Spanish legislation.

h) Structure of the regulation, justification of the content with the structure and content of the parts.

The draft legislation consists of two articles, one additional provision, one transitional provision and three final provisions.

- **Article 1** amends the Bingo Regulation of the Region of Murcia, approved by Decree No 194/2010 of 16 July 2010, as follows:

1. Amendment of Article 3, defining the modalities of the game of bingo that may be authorised in the Region of Murcia, electronic bingo, which already exists but with different technical, functional, and operational characteristics; and electronic hall bingo, a new game, whose fundamental characteristic is that electronic cards and physical cards may be used, allowing players who prefer physical cards instead of electronic ones to access this type of game.

Amendment of electronic bingo, which has not been accepted since it was introduced into the regional system; and automatic bingo is abolished, as in its current form it can be understood as a version of electronic bingo and is covered by the new regulation in the matter, supported by new technological advances.

This new configuration of electronic bingo was implemented, in similar terms, in the Autonomous Community of Madrid in January 2012, in Castile-La Mancha in 2013, in Valencia in 2014 (after the amendment of its Decree 43/2006 of 31 March), and in the Canary Islands in 2015 (by means of Canarian Decree 77/2015 of 7 May 2015).

2. The first paragraph of Article 20.1 is amended, establishing the obligation to lodge a security of EUR 30 000 in the Depository Fund of the Autonomous Community of the Region of Murcia when a company submits an application for authorisation as a Distribution Network, justified by the risk involved in this activity, which requires it to be carried out by creditworthy companies.

If we look at the rest of the Autonomous Communities, we see great diversity in the security amounts required and in the way they are calculated: in Aragon, a security of EUR 200 per terminal installed is established, according to the capacity of the bingo hall; in Extremadura, the security required for the company managing the electronic bingo gambling system is EUR 150 253.03; in Madrid, it is set at EUR 10 for each authorised player slot in all the establishments participating in the game of electronic bingo; in the Canary Islands, the security is EUR 24 000; and in Valencia the security amount for interconnected electronic bingo is EUR 100 000.

3. The content of Section 2 of Chapter III of Title II is amended.

Article 39 contains the concept and essential configuration of the two electronic modalities of the game of bingo, and attributes the power to authorize them to the competent Ministry for gambling, in accordance with Article 11.2 of Law 2/1995 of 15 March regulating games and betting in the Region of Murcia, and Article 29.2(f) of Law 14/2012 of 27 December on tax, administrative and reorganisation measures for the regional public sector.

It also provides for the possibility of concluding collaboration agreements with other Autonomous Communities for the interconnection of the electronic bingo modality, for clarification purposes in case of its subsequent practical application.

Subsection 1 contains the regulation of the mode of **electronic bingo**.

Article 40 regulates the authorisation of the Distribution Network for electronic bingo, distinguishing between the requirements that the company must meet and the documents to accompany the application for authorisation.

Once authorisation is granted, the Distribution Network is obliged to communicate to the competent gambling authority any modifications it may introduce in essential elements such as the report, winning combinations, and the registration and deregistration of authorised bingo halls in the Region that are part of the network.

Article 41 regulates the validity, termination, and revocation of the authorisation, establishing a term of validity of 10 years, renewable for the same amount of time.

Likewise, the grounds for termination and revocation of the authorisations for the distribution of electronic bingo are those established for the authorisations for the organisation and operation of bets and for the opening and functioning of gambling halls, which are applicable to them.

Article 42 regulates the technical system and other elements of the electronic game of bingo, which have already been explained above when describing the technical novelties introduced by the regulation.

The technical system must be approved by the competent governing body responsible for gambling, following a report issued by an entity accredited to it.

The technical system must allow the competent governing body responsible for gambling to block the central server, the hall server, and any or all of the electronic terminals used in the performance of the game, in the event that there are reasonable indications of any very serious infringements.

As it could not be any other way, it is specified that the security measures of the connection must guarantee the authenticity, confidentiality, and integrity of communications, and that the processing of personal data must comply with the provisions of current legislation on the protection of personal data.

In addition to the technical system, the Distribution Network must have electronic terminals, through which players acquire the cards, participate in the game, and receive all the information related to it. These terminals must be permanently connected to the hall server, and the number of terminals that can be installed is limited to the capacity of each bingo hall.

As for the electronic card, it will consist of numbers, symbols, or graphic representations, will be reproduced on the screen of the terminal, will be configured by the Distribution Network, and must be approved by the competent governing body responsible for gambling, regulating its content in detail.

Currently, cards – whether physical or electronic – only contain numbers. The draft Decree allows them to also contain symbols or graphic representations, which is justified by the need to adapt the regulation to the continuous evolution of the sector.

Another new feature introduced by this article, already mentioned, is that the configuration of the electronic card is carried out by the company authorised for the distribution of the electronic bingo game, a flexibility that is justified by the better understanding of the evolution of the game of bingo and the demands of the players, however, it must be approved by the governing body responsible for gambling.

Other elements of electronic bingo are the random ball generator, which will be responsible for the automatic and random extraction of the balls with the corresponding numbers or graphic representations, informative screens, and, optionally, an audio system that is responsible for providing the information that appears on the informative screens.

Finally, the article provides for the possibility for validation of the technical system and electronic card approved by another Government, thus, complying with the Agreement of the Council for Gambling Policies on the regulatory rationalisation programme of 17 December 2014, urging the Autonomous Communities to recognise the national validity of bingo elements that have been approved by another Autonomous Administration.

Article 43 regulates the performance of the game, describing in detail the aspects related to the participation of the players, the sale of cards, the start and development of the game, the winning combinations, the prizes, and incidents during the games.

A novelty to highlight with respect to the previous regulation is the cost of the card, which, according to the draft Decree, can be determined by the company holding the authorisation, a flexibility which is also justified by the company's better knowledge of the evolution of the game of bingo and the demands of the players. However, the maximum cost is limited to EUR 6, which is the amount established in neighbouring regions such as Castile-La Mancha and Valencia, as well as in other regions such as Madrid, which already set this maximum cost when it introduced this type of bingo in January 2012, leaving it to the authorised company to determine.

As for the winning combinations, they are also and for the same reasons determined by the company holding the authorisation, with the obligation to communicate this to the competent governing body responsible for gambling at least seven days before their application.

As regards prizes, the percentage allocated to them, as in the current regulation, will not be less than 80 % of the amounts played. However, at present, the specific percentage that – while respecting the minimum of 80 % – must be distributed in prizes to winning combinations is determined prior to each game, in accordance with the winnings plan approved by the competent Ministry for games and betting. The draft Decree, however, simplifies this determination, establishing the obligation to allocate at least 40 % of each game to prizes, provided that in all the games held in each calendar quarter by the same authorised company, it is not less than 80 % of the amounts played.

Finally, the article covers the possibility of failures or breakdowns in the technical system or in any of the game elements, guaranteeing players the return of the amounts used in the purchase of electronic cards, regulating the various situations that may occur.

Subsection 2 contains the regulation for the modality for **electronic hall bingo**.

It is a new modality of electronic bingo that allows players to participate in the game using electronic means or terminals together with physical or printed cards, in order to make the participation of the traditional player in this type of game more accessible.

Article 44 regulates the technical system, and other elements of the game, establishing that they will be the same as those for electronic bingo, with the particularities established therein. Thus, first, it will not be necessary to have a central server, which is the server responsible for the management and control of the game when it is conducted in different bingo halls; in the case of electronic hall bingo, it will only be conducted in a single bingo hall.

Second, the bingo card or game unit may be electronic or physical, and will be composed of numbers from 1 to 90, both inclusive, both having the same configuration, which is made by the authorised company in compliance with the provisions of Articles 39.3, 44.5, and 44.6, and must be approved by this Administration.

Thus, the bingo cards will have 15 different numbers, distributed in 3 horizontal lines, with five numbers in each line, and nine vertical columns, ensuring that no column is without a number, forming a single block.

Likewise, series of 174 948 bingo cards will be put into play, of which 120 000, between numbers 1 and 120 000, will be assigned to the numbering of physical bingo cards printed in the hall or by printing. The remaining 54 948, which will be numbered from 120 001 to 174 948, will be assigned to the electronic cards played through the terminals, without the possibility of two cards containing the same combination of numbers.

Finally, the electronic terminals and the information system of the bingo hall will be composed of information screens and an audio system that will broadcast everything related to the game.

Article 45 regulates the performance of the game, describing in detail the aspects related to the participation of the players, the sale of cards, the start and development of the game, the winning combinations, the prizes, and incidents during the games.

As for the sale of bingo cards, physical and electronic cards will be sold sequentially, according to their order number within each series, with values of EUR 2, 3, 5, 6, or 10.

In the electronic hall bingo, therefore, the value of the cards increases compared to traditional bingo, in which the value of the cards is EUR 2, 3 and 5.

The winning combinations are: a Line, Bingo, and Pool Prizes, which are regulated in the Catalogue to which the article refers.

As regards **prizes**, the percentages allocated to them in each game for each of the winning combinations are established, as well as the payment of the combinations with the right to Pool Prizes, by referring to the corresponding Annex, establishing that the amounts of the prizes will be designated by the room manager from the established range, who will decide the number of game or ball extractions for the purpose of awarding the Premium or Extra Premium prizes, respectively.

Finally, it covers the cases of Premium and Extra Premium prizes coinciding in the same game, as well as the possibility of failures or breakdowns in the technical system or in any of the game

elements, guaranteeing players the return of the amounts used in the purchase of electronic cards, regulating the various situations that may occur.

4. Annex II, regulating the amount of the prizes for the traditional bingo modality, is amended to adapt it to the new prizes provided for in Article 117 of the Catalogue of Games and Betting of the Region of Murcia, which is also amended by this Decree.

5. Annexes III and IV are established, regulating the allocation and amount of the prizes for electronic hall bingo.

II. **Article 2** amends the Catalogue of Games and Betting of the Region of Murcia, approved by Decree No 217/2010 of 30 July 2010, as follows:

1. Chapter III of the Index of the Catalogue of Games and Betting of the Region of Murcia is amended, with the headings for those parts affected by the draft Decree being modified to refer to the description of the game, elements of the game, and rules and performance of the game of bingo, in the modalities that may be developed within the scope of the Region of Murcia: Traditional Bingo, Electronic Bingo and Electronic Hall Bingo.

2. Article 117, which regulates traditional Bingo, is amended, introducing as the only modifications the deletion of the reference to integrated cards as a game unit, and the description of the new prizes of the accumulated pool (these being Premium Prizes, Bingo Extra, and Accumulated Bingo). The following are also regulated: for premium prizes, the order of awarding in the event of a tie, in the same game, of more than one additional prize; for bingo extra, in the case of a tie in the same game, of any Premium Prize with that of the Bingo Extra prize; and, finally, the description of the Accumulated Bingo with a reference to the Regulation.

3. The amendment of Article 118 is made solely to establish that the cards in electronic format will have their specific support, without the requirement, rendered obsolete by advances in IT, that they be recorded in files on disk or CD-ROM.

As for paper bingo cards, they are provided by the Fábrica Nacional de Moneda y Timbre (National Mint), with the Tax Agency of the Region of Murcia acting as an intermediary for the bingo halls; and in the case of bingo cards printed in the hall or on the gambling table, printing is

carried out on cards purchased from the ATRM, to whom the halls pay the tax rate for the bingo cards.

4. The following are modified: the title of Section 2a of Chapter III, now renamed *Electronic bingo modalities*, including its current content, as well as Articles 120 to 122 governing the *Description of the game*, the *Elements of the game* and the *Rules and performance of the game of electronic bingo*, containing some rules reiterating those of the Bingo Regulations, but adjusting it to and reproducing the structure of the Gambling Catalogue.

Also, in a similar way, the winning combinations and, finally, the prizes are regulated, with a reference to the Regulation as regards the determination of the percentage allocated to them and the determination of their distribution, regulating the case of a tie between more than one winning combination.

5. Finally, the following is amended: the title of Subsection 2 of Section 2 of Chapter III, Modality of Electronic Hall Bingo, encompassing its current content, and Articles 123 and 124, which, following the structure of the Gambling Catalogue, regulate the description of the game and the elements of the game.

Article 125 is also amended, containing the rules on the *Performance of the game*, regulating it in a more exhaustive manner than the Regulation, referencing it for the determination of the percentage allocated to prizes and establishing that this percentage is to be distributed among the winning Line, Bingo and Pool combinations, which can be Premium Prizes (Premium, Special Premium, and Seat Prize), Bingo Extra, and Accumulated Bingo, carefully establishing when each of these winning combinations is formed.

III. In the first final provision, the Regulation relating to the composition and functioning of the Games and Betting Commission of the Region of Murcia is amended, for its necessary adaptation to the provisions of Law 40/2015 of 1 October 2015 on the Legal Rules Governing the Public Sector. It also highlights the inclusion in its composition of a representative of the Betting Business Associations, granting them, in the sole additional provision, a period of one month for the appointment of the new member.

IV. The sole transitional provision provides for a period of adaptation to the new modalities of electronic bingo for bingo halls that were authorised for the automatic bingo modality.

V. The second final provision authorises the competent Ministry for gambling to issue the implementing acts necessary for the development of the Decree, and the third includes the general clause on entry into force 20 days after its publication in the Official Gazette of the Region of Murcia (Article 2 of the Civil Code).

i) Creation of new administrative bodies.

The Decree does not require the creation of new administrative bodies.

j) Guide to Procedures.

In the Guide of Procedures and Services of the Autonomous Community of the Region of Murcia, there is already an administrative procedure for the authorisation of installation and operation of bingo halls, with the number 1313. This procedure should be modified to include the possibility of amending the operating authorisations of bingo halls, allowing for the inclusion of the electronic modalities of electronic bingo and electronic hall bingo. A new procedure for the registration of the Distribution Network will also need to be included in the Guide to Procedures and Services.

k) Principles of necessity, proportionality, legal certainty, transparency, accessibility, simplicity and effectiveness.

Principle of necessity.

The current Bingo Regulation, approved by Decree No 194/2010 of 16 July 2010, introduces innovations in the regulation of the game of bingo in its traditional form, and, as a result of technological evolution, establishes two electronic modalities: electronic bingo and automatic bingo.

Information technologies advance faster each day, and the electronic modalities of the game of bingo implemented by said Decree No 194/2010 of 16 July 2010, as regulated by that decree, have become obsolete, since electronic bingo has evolved with technological advances, and the new demands of bingo users who participate in the culture of the Information society. This is, as already mentioned, the main justification for the necessity of the Decree.

Principle of proportionality.

The authorisation regime contained in this regulation could affect the principle of necessity and proportionality of actions, as set out in Article 5 of Law 20/2013 of 9 December 2013 on a market unity guarantee, although it is the article itself that sets out the exceptional nature of this intervention, provided that it is motivated by the safeguarding of an overriding reason of public interest.

According to Article 3.11 of Law 17/2009 of 23 November 2009 on free access to service activities and the exercise thereof, compelling reasons of general interest are understood to be those relating to, among others, public order, public safety, public health, the safety and health of consumers. Thus, the regulation of the gambling sector involves a complex exercise of accommodating the various general interests that motivate the need for public intervention in the sector, such as the need to provide legal certainty to operators and participants in the different games, the protection of public order, public health, the fight against tax fraud and the prevention of criminal activities, without forgetting the protection of minors and persons who have voluntarily requested to be excluded from participating in gambling.

In this regard, it should be pointed out that the draft Decree does not subject the access to or the exercise of the activity of the bingo game to any of the requirements prohibited by Article 18 of Law 20/2013 of 9 December 2013 on a market unity guarantee, insofar as it allows access to new bingo modalities, allowing legal and effective competition between operators and the incorporation of new service providers, and insofar as this regulation does not grant *a priori* initial privileges to existing operators in other forms of gambling, favouring the desirable competitive neutrality, and guaranteeing greater protection of public health.

Principles of legal certainty, transparency, accessibility, simplicity and effectiveness.

The legislative initiative contains the essential regulation to address the described need, being exercised in a coherent manner with the rest of the legal system. The regulation is also a clear and precise and provides its addressees with the necessary certainty as to which rule is applicable in each situation, in compliance with the principle of legal certainty.

In particular, in the drafting of the Decree, legislative clarity has been sought by ensuring that both bingo game operators and users with certainty know their rights and obligations in relation to the new electronic bingo modalities, and the small changes introduced in traditional bingo, i.e. users and citizens in general and bingo game operators will have total predictability of the effects of the application of the Decree by the Tax Agency of the Region of Murcia.

The objectives of the standard and its justification are clearly defined, both in its provisions and in its explanatory part.

Both the regulatory draft and this report will be published via the Transparency Portal, in addition to the mechanisms for consulting the agents involved in the manner indicated in other sections of this document, thus, complying with the principles of transparency and accessibility.

The project has been developed in order to achieve a simple regulatory framework, which facilitates its understanding and application (simplicity), as well as with a clear identification of the objective pursued, avoiding, as far as possible and within the required authorisation regime, unnecessary burdens for the addressees of the regulation (principle of effectiveness).

4. STUDY OF ADMINISTRATIVE BURDENS.

According to the Methodological Guide for the Preparation of the Regulatory Impact Analysis Report (RIAR) of the Region of Murcia, adopted through the Governing Council Agreement of 28 July 2022, administrative burdens are considered '*activities of an administrative nature that companies and citizens must carry out to comply with the obligations derived from the regulatory proposal*'.

a) Identification of administrative burdens.

In this regard, the aim is to identify and quantify the administrative burdens imposed by the measures to be implemented.

As regards the administrative burdens for bingo halls already authorised by the Ministry for gambling, there are those relating to the modification of the operating authorisation, and the applications for approval to be made by the technical system and electronic card companies.

On the other hand, in order to manage and operate electronic bingo, it is necessary that authorised bingo halls join companies known as a Distribution Network; and these companies must comply with the requirements set out in the draft, identifying the following administrative burdens for these companies: the application for authorisation as a distribution network, registration in the General Gambling Register, the lodging of a security in the Depository Fund of the Autonomous Community of the Region of Murcia, the notifications that the aforementioned companies must make of the winning combinations and of the registrations and deregistration of bingo halls that are members of the network, as well as the requests for approval of the technical system and electronic cards that the companies must apply for.

In addition to the above, the draft establishes the regulatory obligation that the technical system incorporates a secure IT connection compatible with the computer systems of the competent governing body responsible for gambling, for the control and real-time monitoring of the game data.

b) Identification of mechanisms for reducing administrative letters.

In the regulation, as a mechanism for reducing administrative burdens, we can identify the possibility of validating the approval of the technical system by presenting the registration entry of the General Gambling Register of the Administration that has previously approved the aforementioned technical system, thus eliminating concurrent procedures and simplifying the approval procedure.

c) Measurement of the administrative burden, expressed on an annual basis.

The identification of administrative burdens and their economic valuation is carried out in accordance with the Simplified Method of the Standard Cost Model (SCM), applicable to Public Administrations.

For the calculation of the administrative cost (AC) of a given burden, three factors are multiplied: the 'unit cost' of complying with the burden (UC), the annual 'frequency' at which it is to be performed (FR), and the 'population' that must comply with it (P). In mathematical terms:

$$AC = UC \times FR \times P$$

The application of this method makes it possible to establish the monetary value of an administrative burden expressed in euros and in annual terms.

The attached table sets out the annual administrative burdens, taking as a reference Table I of section 2.4 of the Methodological Guide for the Preparation of the Regulatory Impact Analysis Report (*Table for measuring the direct cost of administrative burdens*).

For the calculation of the burdens, as it is a difficult data to estimate, an application of each type is taken as a reference for the five bingo halls currently authorised. For this purpose, the possibility of requesting the modification of the operating authorisation for both the implementation of electronic bingo and electronic hall bingo, as well as applications from companies that wish to register as a Distribution Network or applications for approval/validation of technical systems, has been taken into account.

Administrative burdens	Type of burden	Unit cost	Frequency	Population	TOTAL
Electronic applications for modification of operating authorisation for the implementation of electronic bingo.	(2)	EUR 5	1	5	EUR 25
Electronic applications for modification of operating authorisation for the implementation of electronic hall bingo.	(2)	EUR 5	1	5	EUR 25
Electronic applications for authorisation as Distribution Network	(2)	EUR 5	1	1	EUR 5
Submission of the documents required for authorisation as	(4)	EUR 5 x (4 documents)*	1	1	EUR 20



Distribution Network					
Registration of the Distribution Network in the General Gambling Register	(12)	EUR 110	1	1	EUR 110
Control and monitoring of consignments through the technical system considered as an electronic record-keeping system	(15)	EUR 150	365	1	EUR 54 750
Obligation of the Distribution Network to communicate the winning combinations, registrations and de-registrations of affiliated bingo halls, etc.	(19)	EUR 100	1	1	EUR 100
Electronic applications for approval of the technical system and electronic card.	(2)	EUR 5	1	1	EUR 5
Presentation of a report issued by an accredited approval body.	(16)	EUR 1 500	1	1	EUR 1 500
Submission of electronic applications for validation of the technical system and electronic card.	(2)	EUR 5	1	1	EUR 5
Presentation of the report issued by an accredited validation body.	(10)	EUR 500	1	1	EUR 500

(*) The unit cost of the burdens must be multiplied by the number of documents, data, etc. that must be provided.

d) Conclusion.

As a conclusion of the report on administrative burdens, we can emphasise that this normative text will involve the creation of new administrative burdens, which are an inevitable consequence of the possibility of developing these new gambling activities included in the draft, since until now their exploitation is not allowed. These new charges aim to respond to the demands of users who participate in the culture of the information society and who need the revitalisation and progress in the modernisation of the bingo sector.

Finally, as a saving for the addressees of the standard, the possibility of validation of technical systems is contemplated. As can be seen from the data in the table, the unit cost of an application for approval could amount to EUR 1 505, and that of a validation to EUR 505, which represents a difference of EUR 1 000.

5. BUDGETARY IMPACT REPORT

The authorisation of the two electronic forms of bingo that will be implemented with this Decree will require IT developments in the corporate applications of the Regional Administration, without affecting the budget of the Tax Agency of the Region of Murcia, so they have no additional budgetary impact, since the IT developments that must be carried out will be made with the current budget allocations of the General Directorate of Heritage and IT.

In addition, from a budgetary point of view, the draft does not have an impact on the budgetary deficit, nor does it involve Community co-financing.

For its part, Article 10.1(a)(II) of Legislative Decree 1/2010 of 5 November approving the Consolidated Text of the Legal Provisions in force in the Region of Murcia on Assigned Taxes, establishes that the modality of the game of bingo that is qualified by regulation as an electronic modality of bingo will bear a tax rate of 15 %.

Likewise, Article 10.2(2)(c) defines the taxable base for the electronic bingo modality as the difference between the total amount of income obtained from the game of this modality and the amounts paid to the players for their winnings.

Despite the fact that electronic bingo modalities are provided for in the current Bingo Regulations, there is only one authorisation for the practice of automatic bingo. The impact on the sale of bingo cards in the halls is therefore minimal, so the modification of the regulations and the inclusion of the new modality of electronic bingo in halls largely complete the offering of bingo halls, which may have additional economic effects on the traditional bingo modality currently available, and lead to cautious consideration of the estimates to be made.

Clearly, the calculation of the income that may be generated is a purely approximate determination, which does not consider the interaction of other contingent variables, such as the development of other games or the circumstances of each market.

For the income estimates of electronic bingo, we rely on the experience of Autonomous Communities that already have introduced electronic bingo in their regulations. Let us take Cantabria as a reference, which currently has four authorised bingo halls; close in number to the five that exist in Murcia.

The following table sets out in context the data for the Autonomous Community of Cantabria, regarding the sale of electronic bingo cards, and the amount allocated to prizes for the 2018 and 2019 financial years. We do not take 2020 as a reference, as bingo halls, like the rest of the sector, were affected by the mandatory closures due to the health crisis caused by COVID-19.

SALE OF ELECTRONIC BINGO CARDS IN CANTABRIA	
2018	2019
EUR 5 457 000	EUR 6 283 000

PRIZES FOR ELECTRONIC BINGO IN CANTABRIA	
2018	2019
EUR 4 693 000	EUR 5 403 000

(The data have been obtained from the CODERE Foundation's Year Book of Gaming in Spain)

From the data above, as a mere approximate estimate and making a projection of the income obtained from the sale of cardboard and the prizes delivered in the Autonomous Community of Cantabria, the tax base can be determined, to which we can apply the rate of 15 % provided for in the Consolidated Text of the Legal Provisions in force in the Region of Murcia on Assigned Taxes, currently in force (Article 10.1(a)(1)(II)).

REVENUE FROM THE SALE OF BINGO CARDS	EUR 6 283 000
PRIZES AWARDED	EUR 5 403 000
TAXABLE INCOME	EUR 880 000
TYPE	15 %
TOTAL	EUR 132 000

The economic impact that a participation similar to the existing bingo halls in the Autonomous Community of Cantabria could have on the bingo halls of the Autonomous Community of the Region of Murcia would be about EUR 132 000 per year, as shown in the table above.

With regard to the electronic hall bingo modality, for the income estimates we use as a reference the cards sold for the traditional bingo modality in the Autonomous Community of the Region of Murcia during the financial year 2019, a year for which complete data are available prior to the health crisis, a figure that amounted to EUR 36 150 048.

In Annex III, which the draft regulation introduces into the Bingo Regulation, it is determined that the amount allocated for prizes will be 75 % of the face value of all the cards sold in each game. If we take the previous figure of EUR 36 150 048 as a reference, the amount to be allocated to prizes (75 %) will amount to EUR 27 112 536. As for the electronic bingo modality, the tax base will be determined by the difference between the total amount of the income obtained from the game of this modality and the amounts paid to the players for their winnings, thus calculating the tax base as the difference between EUR 36 150 048 and EUR 27 112 536, which would amount to EUR 9 037 512. If the tax rate of 15 %, provided for in the Consolidated Text on Assigned Taxes, is applied to this amount, the economic impact would be estimated at an income of EUR 1 355 626.8.

As has also been reasoned previously, the economic impact of the introduction of these new electronic modalities of bingo will be fundamentally derived from the consumption of this product by players who have not consumed it so far, since these products are not regulated in Murcia.

It is not inconceivable that the introduction of these new bingo modalities will affect the relative economic importance of some of the games closest to it, such as traditional bingo and the exclusive installation machines in bingo halls, insofar as it will allow for an increase in the attractiveness of the offer for players, favouring a more powerful conglomerate of products in the bingo halls, which may result in an increase in the consumption of the rest of the available games, which is predicted to be positive. The Statistics and Annual Report on the performance of gambling in the Autonomous Community will confirm or refute this forecast.

On the other hand, the amendment of the Decree regulating the composition of the Games and Betting Commission of the Region of Murcia does not imply any additional expense over those

that already occur at present, since it does not entail the implementation of new activities and administrative services that may involve any IT development.

The estimated expenses that the Regional Administration will have to bear will be covered by the appropriations already budgeted for personnel in Chapter I of the budget of the Tax Agency of the Region of Murcia, budget program 613 C, as they will be managed by the staff of the Gambling Management and Taxation Service, and therefore, their cost is not assessed.

6. ECONOMIC IMPACT REPORT.

The proposed regulation complies with the conditions and requirements of Law 20/2013 of 9 December 2013 on a market unity guarantee, not violating any of the principles contained therein.

The authorisation regime contained in this regulation could affect the principle of necessity and proportionality of the actions contained in Article 5 of Law 20/2013, although this article includes the exceptionality of this intervention provided that it is motivated by the safeguarding of an overriding reason in the public interest, among those included in Article 3.11 of Law 17/2009 of 23 November 2009 on free access to service activities and their exercise, such as: public order, public safety, public health, safety and health of consumers. Thus, the regulation of the gambling sector involves a complex exercise of accommodating the various general interests that motivate the need for public intervention in the sector, such as the need to provide legal certainty to operators and participants in the different games, the protection of public order, without forgetting the protection of minors and persons who have voluntarily requested to participate in gambling.

The access and exercise requirements are established equally for all operators interested in carrying out the activity, insofar as all those interested in accessing this type of authorisation will have to comply with the same requirements for obtaining an authorisation. In fact, and taking into account the absence of negative impacts, the impact on competition will be unequivocally positive. First, the project involves the opening to the regulated market of a type of gambling whose marketing is currently not permitted. Second, the introduction of this type of game will also be an incentive for innovation and for improving the quality and attractiveness of the other games that can be played in bingo halls.

The established requirements for the exercise of the activity, which could limit the ability of operators to compete, are certainly exceptional and are considered to be proportionate to the protection of public order and public health, as is the case in particular with the guardianship and protection afforded to minors and those who, for whatever reasons, do not play in an orderly manner and make it necessary for the public authorities to ensure their physical and mental health and the defence of their economic, personal and family rights.

7. GENDER IMPACT REPORT.

The Gender Impact Report seeks to determine the impact, if any, that the adoption of the regulation could have on situations of gender inequality.

To this end, we checked the following in advance: in the context on which the norm seeks to have an impact, men and women play an undifferentiated role; there are no differences between women and men regarding access to or exercise of the game of bingo; nor in relation to the control actions carried out by the ATRM; nor are there any limitations that affect women and men differently in the regulatory proposal being made.

We do not have statistical data on the proportion of men or women participating in the game of bingo. However, the regulation under consideration does not contain any rule, principle, or criterion of discrimination in favour of men or women.

In conclusion, the regulatory draft does not generate any kind of different impact on women and men, so it is considered that the impact of the regulation is neutral in this respect.

Likewise, the language used by the provision does not contain sexist or discriminatory expressions. The generic use of the masculine in the text, when necessary, is due to the fact that, in the Spanish language, the masculine is the unmarked gender.

8. GENDER DIVERSITY IMPACT REPORT.

In accordance with Article 42 of Law 8/2016 of 27 May 2016 on social equality of lesbian, gay, bisexual, transsexual, transgender and intersex persons, and on public policies against discrimination based on sexual orientation and gender identity in the Autonomous Community of the Region of Murcia, the Public Administrations of the Region of Murcia will incorporate the

impact assessment on sexual orientation and gender identity in the development of their competences, to ensure the integration of the principle of equality and non-discrimination of LGBTI persons.

Taking into account the content and purpose of the proposed Decree, it can be stated that it does not introduce any kind of discrimination on grounds of sexual orientation, gender identity and expression. Thus, the impact in this area is zero or neutral.

9. IMPACT ON CHILDREN AND ADOLESCENTS.

Article 22 quinquies of Organic Law 1/1996 of 15 January 1996 on the Legal Protection of Minors, establishes that the reports of the regulatory impact analysis that must accompany first draft laws and draft regulations will include the impact of the regulations on children and adolescents.

If we consider all the regulations governing games and betting, we in fact find a series of rules and measures aimed at protecting children and adolescents, the main one being the prohibition of minors' access to bingo halls. Specifically, Article 22.5 of Law 2/1995 of 15 March 1995 regulating games and betting in the Region of Murcia provides that '*the practice of games of chance, the use of token machines, participation in betting and entry into premises exclusively dedicated to these activities, are prohibited for minors and for those who, being of age, are not in full use of their capacity to act*'. Access to gambling by persons who are prohibited from doing so is punishable with the greatest degree of severity (very serious offence, Article 24(i)).

Thus, since minors enjoy this protection in relation to gambling, which is also embodied in a rule with the status of law, the draft regulation under consideration cannot and does not modify this state of affairs. It focuses on regulating the electronic modalities of the game of bingo, which can be carried out by all persons who are allowed access to the gambling premises.

Consequently, it is considered that the proposed regulatory framework will not have an impact on children and adolescents, thus having no impact.

10. IMPACT ON THE FAMILY.

The impact that the legislative draft has on the family must be considered, as determined by the tenth additional provision of Law 40/2003 of 18 November 2003 on the protection of large

families, and it can be concluded that the impact that the legislative draft has on families is zero or neutral.

For the purpose of the rule, there is no need or reason to introduce measures relating to the protection of families.

11. IMPACT ON THE 2030 AGENDA.

The United Nations 2030 Agenda for Sustainable Development, 'Transforming our world', adopted by United Nations General Assembly Resolution of 25 September 2015, represents the global development framework for the coming years, with the aim of achieving sustainable development for all people. The Government of the Region of Murcia assumed the importance of the Agenda 2030 and approved the agreement of the Governing Council of 1 August 2018, which determined the governance of the Agenda 2030 in the Region of Murcia and established its implementation in two phases: the adoption of an Action Plan and the elaboration of a Regional Strategy for a Sustainable Murcia 2020-2030. According to this agreement, the Action Plan (approved by the Governing Council on 29 December 2020) is configured as a starting point on the path that led to the approval of a Sustainable Development Strategy, which aims to lay the foundation for the transformation to a more just, inclusive, and sustainable society inside and outside our Region.

The 2030 Agenda sets 17 goals (Sustainable Development Goals, SDGs) and 169 targets, which address the three dimensions of sustainable development: the economic, social and environmental. The 17 SDGs are as follows:

1. End poverty in all its forms everywhere.
2. End hunger, achieve food security and improved nutrition and promote sustainable agriculture.
3. Ensure healthy lives and promote well-being for all at all ages.
4. Ensure inclusive and equitable quality education and promote lifelong learning opportunities for all.
5. Achieve gender equality and empower all women and girls.
6. Ensure availability and sustainable management of water and sanitation for all.
7. Ensure access to affordable, reliable, sustainable and modern energy for all.
8. Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all.

9. Build resilient infrastructure, promote inclusive and sustainable industrialisation and foster innovation.
10. Reduce inequality within and among countries.
11. Make cities and human settlements inclusive, safe, resilient and sustainable.
12. Ensure sustainable consumption and production patterns.
13. Take urgent action to combat climate change and its impacts.
14. Conserve and sustainably use the oceans, seas and marine resources for sustainable development.
15. Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss.
16. Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels.
17. Strengthen the means of implementation and revitalise the global partnership for sustainable development.

However, as regards the impact that the regulatory draft may have on the achievement of these SDGs, it can be said that **it has no direct and specific impact on the achievement of any of the SDGs in particular**; in the sense that there are no SDGs directly related to gaming.

Only indirectly, a connection can be seen between the objectives of the regulation and SDG 12 (*Ensure sustainable consumption and production patterns*), in so far as the regulation contributes to the orderly consumption of the game of bingo.

12. IMPACT WITH REGARD TO EQUAL OPPORTUNITIES, NON-DISCRIMINATION OR UNIVERSAL ACCESS FOR PERSONS WITH DISABILITIES.

The draft legislation has zero or neutral effects in the field of disability, without prejudice to other laws or regulations that may have such effects (such as accessibility standards in buildings, which are applicable to bingo halls; or the civil rules governing the capacity to act and its limitations, which in certain cases may determine the prohibition of access to gambling halls).

13. REGULATORY ASSESSMENT.

According to the cited *Methodological Guide for the Preparation of the Regulatory Impact Analysis Report (RIAR) of the Region of Murcia* (paragraph 2.14(1)), it is appropriate to carry out the ex-post evaluation of the regulation when any of the following circumstances arise:

- a) A sector or matter is regulated for the first time.
- b) A substantial modification to the legal regime of the sector or subject matter being regulated.
- c) Outstanding relevance due to the extent, complexity, regulated matter, or impacts deployed.

In this case, it is a regulatory amendment and not an initial regulation of the matter. The decisive criteria for subjecting the regulation to an *ex post* evaluation will therefore be indeterminate legal concepts such as the *substantial* or non-substantial nature of the amendment (paragraph b), as well as its *highlighted relevance* (paragraph c). Since we consider that the proposed change is in an intermediate area, not clearly included or excluded from these concepts, we opted to design a methodology that allows the normative evaluation of the regulation.

To this end, first, the objectives pursued by the draft legislation must be brought to light. As set out in paragraph 2(e) of this RIAR, the legislative amendment seeks to update the regime governing the electronic modalities of bingo gambling, the regulation of which is obsolete. This update is aimed at: 1. Adapting the regulation to new technologies, and 2. adapt it to the preferences and demands of bingo game users. In reality, both purposes are identified, as the incorporation of new technologies achieves an alternative and more attractive game offer for users, which does not harm the traditional modality, which remains possible.

In addition to the objectives pursued by the standard (paragraph 2(e) of this RIAR), its impacts must also be considered (paragraphs 5 to 12 of this RIAR). *Objectives* and *impacts* are the two types of *foreseeable effects* of the draft legislation. But, while the *objectives* are the effects directly intended by the project, the *impacts* are those effects, favourable or unfavourable, which are expected to occur but are not intended to be achieved deliberately.

As can be seen in the different sections of this RIAR that analyse the impacts of the regulatory draft, we have not been able to identify relevant impacts, in all cases, the impact being zero or neutral. We have only estimated a favourable impact in the case of the budgetary impact, derived from the fact that an increase in the sale of electronic bingo cards is expected and,

thereby, in the collection of the tax on the bingo tax rate. The calculation of this increase involves considerable uncertainty (we have taken as a reference what occurred in another single-province Autonomous Community with characteristics similar to ours in this regard, such as the Community of Cantabria; and we have also assumed that the increased sale of electronic bingo cards will not lead to an equivalent reduction in the sale of physical bingo cards. However, it is worth making some considerations here regarding the revenue effect of the regulatory change we are analysing: the tax on bingo does not have significant revenue-generating power, and the proposed change is not intended to increase that revenue, nor is it intended to promote bingo. It simply proposes to adapt the regulation of it so that trends in the supply and demand of this game – whether increasing or decreasing – can develop freely, with the controls

necessary to safeguard the public interests affected (public order, public health and public safety).

For this reason, we consider that the budgetary impact – i.e., revenue – is not an impact that deserves to be assessed on its own. Irrespective of whether the revenue is increased or decreased as a result of the amendment, the revenue figure is not in itself relevant to the assessment of the success of the regulatory draft, nor can it determine a future adjustment of the regulation. However, it is true that, *caeteris paribus*, an increase in the sale of electronic bingo cards, insofar as it implies a greater acceptance or preference on the part of the public, may be an indication that the regulation is adapted to market trends and does not hinder those trends.

Secondly, it is necessary to determine the assessment tools; that is, the criteria to be assessed, whether indicators, phases, or milestones. As we have just mentioned, an indirect indicator could be the trend in the sale of electronic bingo cards. However, even if this development is positive, disproportionate requirements or unnecessary restrictions may still remain in the regulations, which, if they did not exist, would allow greater growth; and, conversely, after the entry into force of the regulation, players' preferences may change in favour of modalities of play other than bingo, or new pandemics, crises, or other causes beyond the scope of the regulatory amendment may arise, resulting in a drop in the sale of bingo cards.

Therefore, we consider that the main and direct source to assess the effectiveness, relevance, and sustainability of the standard will be the opinion of the agents operating in the game of electronic bingo, which are, on the one hand, the gambling companies and, on the other, the

players themselves. Gambling companies are, in this sense, a qualified interlocutor, for two reasons:

- First, the game of bingo is concentrated to a few companies (there are currently five authorised companies, one solely for automatic bingo), making it easy to gather the opinion of all of them, and not just a more or less representative part.
- Second, there is a logical interest of such companies in an increase in the sale of cards (both electronic and physical, since only companies authorised for traditional bingo can develop electronic bingo modalities). However, the margin of the percentage allocated to prizes is fixed, so, to increase their profits, gambling companies must increase their sales. Additionally, the only way to increase sales is to try to satisfy the gaming preferences of users by offering an attractive product. In this regard, the preference for bingo is highly sensitive to innovations occurring in other games or bets, or in bingo itself; there is a significant percentage of bingo players who also play other listed games. All this aligns the interest of bingo companies – to offer an attractive product – with that of users: to enjoy an attractive product; which, in an information society like ours, involves taking advantage of the benefits of technology (users' ease and familiarity with gaming via electronic terminals; possibility of play in multiple halls, with more attractive prizes; etc.) This leads us to rule out a similar survey among the players themselves, which would present additional difficulties, and to focus on performance in gambling companies. Using the expression introduced by the economist Charles Tiebout, the players *vote with their feet* every time they go to bingo or opt for other gambling or leisure alternatives. For this reason, to reflect this choice of bingo players, we will use, as we will see, a second auxiliary indicator (evolution of the number of bingo cards sold).

Thus, we consider that the best and most direct indicator of compliance with the objectives of the standard will be a **survey**, *addressed to all companies authorised to operate bingo modalities, whether traditional or electronic, with the following questionnaire:*

1. Do you consider that the regulations on electronic bingo in the Region of Murcia are and remain up to date? *Please indicate any aspects that you consider to be improvable.*

In the event that the company only has authorisation for traditional bingo and has not requested an authorisation for electronic modalities, we would like you to also answer the following question: Is your decision to refrain from electronic bingo based on obstacles or

requirements in the regional regulation of the game of bingo, or on reasons unrelated to those regulations? If the former, what are the obstacles or requirements that prevent it?

2. Do you consider that the regulations on electronic bingo in the Region of Murcia meet the demands of users? How could these demands be best met?

3. Is there any type of procedure in the regulation that you consider unjustified, or any aspect that should be modified in light of your experience in its application?

This survey should be carried out **5 years** from the entry into force of the regulation, which we consider to be a reasonable period for interested companies to request and obtain the appropriate authorisations (including the authorisations for the Distribution Networks) and, thereafter, have the experience necessary to assess the new regulation of electronic bingo.

The technical data sheet of the indicator is as follows:

MAIN INDICATOR SHEET	
Designation	Assessment of the appropriateness of the new standard by the companies concerned
Description	By means of a survey of the authorised bingo gambling companies, the purpose of which is to know how those companies, after a period of application, assess the regulatory change, and in particular: 1. If they consider that the regulations governing the electronic modalities of bingo are and remain up to date, and if any of their aspects can be improved; 2. Whether this regulation responds to the demands of users; 3. If there is any type of procedure in the regulation that is considered unjustified, or any aspect that should be modified in light of their experience in its application.
Objective/impact associated with the indicator	This is an indicator of perceived quality. It measures the degree of satisfaction of the regulatory amendment: whether it has fulfilled its objectives (update regulations, enable the deployment of technological developments) and is in line with market demands and trends (see paragraph 2(e) of this RIAR), allowing bingo companies to make proposals for improvement in view of future modifications. It is also a comprehensive survey, given the small number of bingo companies authorised or likely to be authorised in the coming years.
Measurement unit	As it is not a quantifiable indicator, there is no unit of measure
Calculation formula	As it is not a quantifiable indicator, there is no calculation formula



Frequency	It is carried out once, after 5 years
Aim	The objective is considered fulfilled if the degree of satisfaction with the change is high, and if the survey does not reveal the existence of errors, restrictions, or unjustified obstacles that hinder the development of the activity.
Source of information	Authorised bingo gambling companies, whose contact details are held by the competent authority
Unit responsible	Gambling Management and Taxation Service (<i>Servicio de Gestión y Tributación del Juego</i>)

As we mentioned, for the evaluation of the standard, there will be another auxiliary or indirect indicator, consisting of the evolution of the number of electronic cards sold. The indicator provides only indirect information on the regulatory quality of the amendment: the greater the number of cards sold, the greater the adaptation of the regulation to the reality of the bingo demands and preferences. We call it auxiliary since the adaptation and quality of the standard require qualitative judgments about its different elements, which a quantitative index cannot provide. Even so, the indicator can be a useful reference, especially if the volume of bingo card sales remains very low (which would point to a regulatory failure).

Various indicators related to the sale of cartons have been considered: percentage increase in the sale of cards compared to the immediately preceding year, annual variation in the sale of electronic cards in relation to physical ones, variation in the sale of electronic cards in the Region in relation to other Autonomous Communities or with the national average, etc. As the publication of information from other Autonomous Communities sometimes takes years to be made public, it has been decided to consider only the annual increase in the sale of bingo cards, although the availability of other information at the time of the regulatory assessment may certainly be taken into account.

The data sheet for this second indicator would be as follows:



AUXILIARY INDICATOR SHEET

Designation	Evolution of the sale of electronic bingo cards
Description	It is a question of checking whether there is an annual increase in the number of cards sold in the two modalities of electronic bingo
Objective/impact associated with the indicator	An increase in the sale of electronic bingo cards is an indication that the electronic forms of gambling regulated by the standard are adapted to the demands of users and trends in the sector, and consequently that the regulation is up to date in that aspect, which is the objective pursued by the regulation (see paragraph 2(e) of this RIAR).
Measurement unit	Increase (in %) in the number of electronic bingo cards sold in the Region annually, information available in the technical system that supports electronic bingo modalities
Calculation formula	$\frac{CEV \text{ year } x - CEV \text{ year } (x-1)}{CEV \text{ year } (x-1)} \times 100$ <p>where CEV = Electronic Cartons Sold (<i>Cartones electrónicos vendidos</i>)</p>
Frequency	Annually
Aim	The objective is considered fulfilled if the indicator is positive
Source of information	The competent governing body responsible for gambling may at any time access the information contained in the technical system of the Distribution Network(s); and the number of cards sold is data that is reflected in that technical system, both for electronic bingo and electronic hall bingo
Unit responsible	Gambling Management and Taxation Service (<i>Servicio de Gestión y Tributación del Juego</i>)

To summarise everything related to the evaluation of the regulation and as a conclusion of this RIAR, the following is highlighted:

- It is recognised that the regulatory amendment we are analysing is the subject of an *ex post* evaluation process. The objective of the evaluation is to verify that the approved standard has been effective, relevant, and sustainable, which in our case means that the legislation has managed to update and adapt the regulation of electronic gambling to new technologies and market orientations.

- That assessment will be carried out at the end of **5 years** of validity of the regulation, and its results will be reflected in the corresponding *evaluation report*, which will be published via the Transparency Portal of the Autonomous Community of the Region of Murcia.
- The regulatory evaluation will be based on two indicators. The main indicator will be a survey to be conducted among all the companies authorised for bingo in the Region, with the questionnaire that appears above. This survey will be conducted 5 years after the entry into force of the law, granting companies a period of one month to complete the survey. At the end of this period, in the following three months, the department responsible for gambling will make the appropriate assessments, which will be included in the evaluation report.
- As an auxiliary indicator, the increase (in %) in the number of electronic cards sold in the Region each year is established. This data may be collected annually by the Gambling Service, and is reflected in a tracking document; or after 5 years, at the time of the survey.

Document electronically signed.

The Head of the Tax Legal Service, María José Sánchez Gómez.

The Director of the Tax Office of the Region of Murcia, Esperanza Nieto Martínez.