

## PART FIFTY-THREE

### Amendment to the Gambling Act

#### Article XCII

Act No 186/2016 on gambling, as amended by Act No 183/2017, Act No 251/2017, Act No 111/2019, Act No 364/2019, Act No 527/2020, Act No 36/2021 and Act No 261/2021, is amended as follows:

1. Section 2(2) is replaced by the following:

‘(2) A gambling game operated by remote access via the Internet (hereinafter an ‘online game’) accessible

- a) in the territory of the Czech Republic is considered to be operated in the territory of the Czech Republic;
- b) outside the territory of the Czech Republic shall be deemed to be operated in the territory of the Czech Republic if it is also accessible in the territory of the Czech Republic where it is operated on the basis of a basic permit for this game.’.

2. The heading of Section 4 reads: ‘**Definition of certain terms**’.

3. In Section 4(1)(a), the words ‘operated in the territory of the Czech Republic’ are inserted after the word ‘game’.

4. In Section 4(1)(d)(1), the words ‘; the usual price is deemed to be the price set in accordance with the law governing the valuation of assets and’ are replaced by ‘, or’.

5. At the end of Section 4(1), the full stop is replaced by a comma and the following points (e) to (o) are added:

- ‘e) ancillary payment means a stake or part thereof, that entitles, in addition to betting, participation in the given type of gambling game;
- f) other payment means a stake, or part thereof, that is neither a bet nor an ancillary payment;
- g) a foreign participant in a gambling game means a natural person participating in an online game not operated in the territory of the Czech Republic, if he/she plays against a participant in a gambling game;
- h) payout of winnings
  1. the payout of chips to a participant in a

gambling game at a live game table based on the evaluation of the live game in the casino, unless it is a card tournament;

2. the registration of funds for the user account of a gambling participant, provided that the money is winnings and a user account is established for the given gambling game; this does not apply to funds paid as annuity;
3. the payout of funds to a participant in cash or a non-cash transfer to the gambling participant from a payment account, provided that the winnings are funds and no user account is established for the given gambling game;
4. recording in the user’s account in the case of non-monetary winnings or funds paid as an annuity and a user account is set up for the given gambling game;
5. the handover of a material item or a voucher for a material item or service to a participant in the case of a non-monetary prize and where no user account is set up for the gambling game; or
6. the deposit of funds in escrow in case of funds paid as an annuity and where no user account is established for the gambling game;
  - i) annuity means funds gradually paid out from escrow;
  - j) a bonus means payment provided to a participant in connection with the operation of a gambling game free of charge or at a price lower than the usual price;
  - k) a risky bonus means a bonus that promotes risky gambling or threatening health, life, good morals or public order;
  - l) usual price means the determined in accordance with the law governing the valuation of assets;
  - m) an operator is anyone who operates a gambling game, regardless of whether they hold a basic licence for its operator or whether they are a notifier;
  - n) country of origin, for
    1. natural persons, means any State of which they are a citizen, in which they are registered for permanent or similar residence;
    2. sole traders, means any State that is their country of origin pursuant to point 1 or in which they have their registered office;
    3. corporate entities, means the State in which it

has its registered office;

4. a trust fund, means the State under whose law it is constituted and each State which is the country of origin of its trustee in accordance with points 1 to 3;

o) a prohibited online game means a game operated contrary to Section 7(2)(a) or (b).’.

6. Section 4(2) and (3) are deleted and paragraph (1) becomes unnumbered.

7. Section 6(1) reads as follows:

‘(1) A gambling game, with the exception of a small-scale tournament, may only be operated by

- a) the Czech Republic;
- b) a corporate entity that has
  1. its registered office in the Czech Republic, another Member State of the European Union or in a State party to the Agreement on the European Economic Area;
  2. an organisational structure with a sound, transparent and comprehensive definition of competences and decision-making powers;
  3. an established supervisory board, management board or other similar supervisory body;
  4. fulfilled the requirement of financial stability;
  5. financial statements audited by an auditor in accordance with the Act on Auditors;
  6. the transparent and safe origin of the resources; and
  7. a transparent ownership structure from which it is clear who the beneficial owner is under the Act governing the register of beneficial owners (hereinafter the 'beneficial owner').

8. In Section 6(2), the words ‘A raffle operator may also be a corporate entity other than that pursuant to paragraph 1’ are replaced by ‘A raffle can only be operated by the Czech Republic or a corporate entity’.

9. In the introductory part of Section 6(3) the words ‘Small-scale tournament operators may only be’ are replaced by: ‘A small-scale tournament can only be operated by the Czech Republic or’.

10. The following Section 6(4) and (5) are added:

‘(4) The financial stability requirement pursuant to (1)(b)(4) is fulfilled by an operator whose

a) equity less the outstanding share of the issue rate and the outstanding surcharges other than share capital

1. is at least CZK 50,000,000 and
2. exceeds the amount of debts if the profit or loss of the current financial year and the result of previous years are negative; and

b) assets less the deposit pursuant to Section 93(1)(a), long-term receivables and fixed financial assets are at least CZK 50,000,000.

(5) When assessing compliance with the financial stability requirement, the amount in foreign currency specified in the financial statements shall be converted into Czech crowns at the rate announced by the Czech National Bank for the date of the preparation of the financial statements.’.

11. In Section 7(2)(i), the word ‘, or’ is replaced by a comma.

12. At the end of Section 7(2), the full stop is replaced by a comma and the following points (k) and (l) are added:

- ‘k) contrary
1. to conditions of its operation pursuant to Section 13d, Segment Two or Four of Chapter I;
  2. to conditions of its operation laid down in the basic permit;
  3. to the approved gaming plan;
  4. to a permit to situate gaming premises; or
  5. to notification of or conditions for the operation of notified gambling games; or
- l) by means of a device model other than that approved in the basic permit.’.

13. Section 7(3) reads as follows:

‘(3) In the context of the operation of a gambling game, the operator shall be prohibited from granting any advantage to the player in the form of:

- a) foodstuffs, beverages, tobacco products or stimulants; or
- b) a prohibited risky bonus stipulated in the Decree.’.

14. The following Section 7(6) is added:

‘(6) An operator must not encourage a person to

participate in the gambling game if they have previously informed the operator that they do not wish to be approached with offer an to participate in the gambling game, if they are a person who

- a) is registered for this gambling game, or
- b) has been registered for this gambling game in the last 3 years.’.

15. In Section 8(2)(a), the words ‘, the highest winnings and the highest hourly losses’ are replaced by “and the highest winnings”.

16. At the end of Section 8(2), the full stop is replaced by a comma and the following points (d) and (e) are added:

- ‘d) payout ratio;
- e) payout structure.’.

17. Section 9a is inserted after Section 9 and, including the heading, reads as follows:

‘Section 9a

**Stake**

(1) The operator may not accept the ancillary payment in a currency other than the currency of the bet.

(2) The operator may not return ancillary payment or other payment in a currency other than that in which they were received.’.

18. In Section 10(2), the words ‘lotteries and’ are replaced by ‘lotteries or’ and the words ‘valuables, securities and other investment instruments’ are deleted.

19. Section 10(4) to (6) read as follows:

‘(4) The winnings in a live game can only be

- a) value or playing chips, in the case of winnings in a live game not operated as an online game;
- b) tournament chips, in the case of winnings in an individual live game within a card tournament;
- c) funds, in the case of winnings in a live game operated as an online game or card tournament.

(5) Funds paid as an annuity may be the subject of winnings only if they are winnings in a numerical lottery, a cash lottery or an instant lottery.

(6) Winnings must not be

- a) a tobacco product, smoking aid, herbal product intended for smoking, electronic cigarette,

tobacco-free nicotine pouch or alcoholic beverage pursuant to the Act governing the protection of health against the harmful effects of addictive substances;

- b) a substance or preparation pursuant to the government regulation regulating the list of addictive substances;
- c) a medicinal product pursuant to the act governing medicinal products;
- d) a security or other investment instrument; or
- e) a virtual asset pursuant to the act governing certain measures against the legitimisation of proceeds of crime and financing of terrorism.’.

20. Section 10(8) is added, which reads:

‘(8) The operator is obliged to pay the prize in the same currency in which he accepted the related bet.’.

21. After Section 10, new Section 10a to 10c are inserted, which, including their headings, read as follows:

‘Section 10a

**Payout of winnings to a user account**

(1) An operator must pay out winnings from a gambling game for which a user account is established pursuant to this Act, without undue delay, but no later than 30 days from the date of its evaluation.

(2) If the winnings are a tangible item, service or funds paid as an annuity, the operator records them on the user account separately from funds together with their sufficiently definite description and value.

Section 10b

**Payout of winnings if a user account is not set up**

(1) If a user account is not set up for a given type of gambling game, the participant may claim winnings from the operator no later than 1 year

- a) from the date of evaluation of the gambling game;
- b) from the date of termination of the sale of tickets in the case of winnings in an instant lottery; or
- c) from the last day of the card tournament, in the case of winnings in a card tournament.

(2) An operator is obliged to make it possible to assert the right to win at least at the place where he accepts bets in this gambling game. A lottery operator may, taking into account the amount of funds paid out, reasonably limit the number of places where the

winnings can be claimed in the gaming plan.

(3) If the participant does not claim a prize within the period pursuant to paragraph 1, the right to winnings shall lapse.

(4) An operator is obliged to pay winnings without undue delay after assertion of a claim, at the place where the claim is made, or by wire transfer, if the participant agrees to do so or if the operator is obliged to do so pursuant to the act governing the limitation of payments in cash.

(5) If for a legitimate reason it is not possible to pay the winnings immediately, the operator is obliged to pay the prize no later than 60 days from the date of assertion of the claim. In such a case, the operator is obliged to issue to the player a certificate of assertion of the right to winnings, stating at least

- a) identification of the operator;
- b) identification of the gambling game participant;
- c) the amount of the winnings;
- d) a sufficiently definite description of the winnings, in the case of an item or service;
- e) the reason for not paying out the winnings;
- f) information on
  1. the date and time from which the funds will be prepared for disbursement, and the place of disbursement, if the winnings are funds and are paid in cash;
  2. the date and time from which the item or voucher for the item or service will be prepared for delivery and place of handover, if the winnings are an item or service;
  3. the unique identifier of the payment account to which the winnings will be paid by wire transfer and the date by which the payment order will be placed, provided that the winnings are funds and the participant agrees to payout of the winnings by wire transfer to that payment account or if the operator is obliged to do so in accordance with the act governing the limitation of cash payments; or
  4. the method of payment of the annuity, provided that the winnings are funds paid as an annuity;
- g) the date, time and place of issue of the claim to the winnings;
- h) the name(s), surname and signature of the

natural person authorised by the operator to issue a claim to winnings.

(6) In the case of a live game in a casino with the exception of a card tournament, the operator is obliged to pay out the winnings at a live game table in value or playing chips without delay after the evaluation of the gambling game. Paragraphs (1) to (5) shall not apply to live casino games with the exception of a card tournament.

(7) Paragraph (5) shall not apply to a raffle and a small-scale tournament where the participant of the gambling game claims winnings immediately after the evaluation of the gambling game.

## Section 10c

### Annuity

(1) If winnings involve funds paid as an annuity, the operator shall immediately deposit all funds to be paid in escrow with a notary, lawyer, bank, foreign bank established in another Member State of the European Union or in a State party to the Agreement on the European Economic Area, or a foreign bank established in a State other than a Member State of the European Union or in a State party to the Agreement on the European Economic Area, if it carries out activities in the territory of a Member State of the European Union or a State party to the Agreement on the European Economic Area through its branch.

(2) The costs associated with the escrow and payment of the annuity shall be borne by the operator.

(3) The operator shall be obliged to pay immediately all the funds pursuant to paragraph (1) to the participant if the gambling participant so requests. The participant is obliged to instruct the gambling participant about this when paying out the winnings.

(4) Section 10b(5) shall apply *mutatis mutandis* to a request for payout of the entire amount in escrow.”.

22. In Section 11, the words ‘is obliged’ are replaced by ‘and the natural person acting for him is obliged’ and the words ‘or a natural person acting for him’ is inserted after the word ‘operator’.

23. In Section 12, the existing text becomes paragraph (1) and the following paragraph (2) is added:

‘(2) The limitation of the time of operation of

gambling games in the generally applicable decree pursuant to paragraph (1) shall not apply to the operation of a transmitted live game from a studio located in the municipality.’.

24. Section 13a(1) reads as follows:

‘(1) The operator is obliged to keep records for each gambling game and provide it via remote access.’.

25. After Section 13a, new Sections 13b to 13f are inserted, which, including their headings, read as follows:

#### ‘Section 13b

##### **Obligation to provide information**

(1) The operator operating a technical game must, at each game position,

- a) provide, in a legible manner that is accessible to the gambling game participant at any time,
  1. the balance on the user account of the gambling game participant;
  2. the total amount of net losses since the activation of the user account;
  3. the overall total net losses per calendar month;
  4. the amount of the highest bet;
  5. the amount of the highest winnings; and
  6. an offer of use and status of configured self-exclusion measures;
- b) in a manner that is legible and visible the entire time the gambling game participant is logged into the user account, an indicator of how long they have been logged into the user account; and
- c) after each login, for at least 5 seconds from the moment of each login to the user account, draw attention to the ability to use and the status of configured self-exclusion measures.

(2) An operator operating gaming premises is obliged to publish in a legible manner in a visible place

- a) in the gaming premises
  1. identification and contact details of the operator;
  2. identification and contact details of an institution dealing with the prevention and treatment of problems related to pathological gambling;

3. the permit to situate gaming premises, the basic permit and the gaming plan for all gambling games operated in the gaming premises;

4. the information on the possibility of submitting an application for registration in the register of natural persons excluded from participation in gambling games (hereinafter the ‘Register’) and a link to the website of the Ministry of Finance (hereinafter the ‘Ministry’) containing an application for registration in that register, which the Ministry publishes pursuant to Section 16d(2);

5. an offer of the use of self-exclusion measures;

6. the amount of the highest bet and the highest winnings, where permitted by the nature of the gambling game being operated; and

7. a time indicator, so that at least one is visible from each playing position and from each live game table in the gaming area during operating hours;

- b) in the gaming area in which a gambling game is operated for which a user account is established,

1. information on the possibility and method of using a means of preventing participation in gambling and

2. information on the possibility of submitting an application for registration through the operator; and

- c) before entrance to the gaming premises,

1. identification and contact details of the operator;

2. operating hours of the gaming premises;

3. information on the prohibition of participation in gambling for persons under the age of 18; and

4. a warning that participation in gambling can be harmful.

(3) An operator operating a casino is obliged to publish in a legible manner in a visible place

- a) in the casino, a list of live games operated, indicating the name in accordance with the basic permit; and

- b) on the playing table of live game,

1. the name of the gambling game according to the basic permit;

2. the gaming currency and
  3. the amount of the lowest and highest bet.
- (4) An operator operating a lottery is obliged to
- a) ensure that in a visible location at each point of sale of the lottery, the following is published in a legible manner:
    1. information on the prohibition of participation in gambling for persons under the age of 18; and
    2. a warning that participation in gambling can be harmful and
  - b) publish on its website
    1. the list of lottery points of sale referred to in point (a); and
    2. the result of the draw, without delay after the draw, up to a period of 1 year from the date of the draw.
- (5) The operator operating fixed-odds betting or a totaliser game must,
- a) in each place where such gambling games are operated, make public in a legible and visible manner,
    1. identification and contact details of the operator;
    2. identification and contact details of an institution dealing with the prevention and treatment of problems related to pathological gambling;
    3. information on the possibility of registration in the register and a link to the Ministry's website containing an application for registration in this register, which the Ministry publishes pursuant to Section 16d(2); and
    4. an offer regarding the use of self-exclusion measures, if it is obliged to offer self-exclusion measures to the player;
  - b) at any place where it receives a stake in such gambling games or performs registration for such gambling games pursuant to this Act, further publish in a legible and visible manner,
    1. information on the prohibition of participation in gambling for persons under the age of 18; and
    2. a warning that participation in gambling can be harmful,
  - c) provide, on request, at each location where such

gambling games are operated, the basic permit and gaming plan of all gambling games operated therein; and

- d) publish the list of places pursuant to point (a) on its website.

(6) An operator that operates gambling in a currency other than the Czech crown is obliged to publish in a legible and visible manner the centrally set rates for the given calendar day for conversion between all game currencies and the Czech crown and between all game currencies and the game currency in which self-exclusion measures can be set.

#### Section 13c

##### **Cancelling a bet**

(1) The operator may, prior to the evaluation of the gambling game, offer the participant the cancellation of their bet. The offer shall expire at the latest at the moment of the evaluation of the game, unless the operator specifies a shorter period.

(2) The gambling game participant is not obliged to accept the cancellation of the bet.

#### Section 13d

##### **Conditions for the operation of gambling games**

An operator must comply with the conditions for operation laid down in the decree.

#### Section 13e

##### **Notification and recording obligation**

(1) An operator is obliged to notify the authority executing state administration in the field of the operation of gambling games the facts relating to the operation of gambling games laid down in the decree, the notification of which is necessary for the exercise of supervision of compliance with the obligations laid down in this Act.

(2) An operator is obliged to keep a record of the facts related to the operation of gambling games necessary for the exercise of supervision of compliance with the obligations laid down in this Act, as laid down in the Decree.

(3) Logs and records that are subject to the recording obligation under this Act may be kept in paper or electronic form. The operator is obliged to maintain them correctly, completely, conclusively, clearly, comprehensibly, in a manner that guarantees

the permanence of the entries, and they must be ordered chronologically.

(4) The supervisory authority may verify the proper fulfilment of the recording obligations under this Act during their duration, request documents relating to the data that is the subject of the recording obligation and impose obligations to rectify defects by decision. Where this Act provides for an obligation to make an entry, record or document available so that the supervisory authority can consult them on the spot, this shall be without prejudice to the obligation to make them available to the supervisory authority by any other means.

(5) The supervisory authority may require the operator, by means of a decision specifying precisely the recorded data, their breakdown and layout, or relation to the documents from which the record is kept, to keep, in addition to the records referred to in paragraph (2), special records necessary for the supervision of compliance with the obligations laid down in this Act. The supervisory authority shall amend or revoke the decision imposing the recording obligation if the reasons which led to its imposition have changed or no longer exist.

(6) Logs, records and documents that are subject to the recording obligation under this Act must be maintained by the operator for the period of time stipulated

- a) by this Act;
- b) in the Decree; this period shall not exceed 10 years
  1. from the date of their recording, or
  2. from the last day on which the recorded event occurs, if the subject of the recording obligation is an ongoing fact;
- c) in the decision pursuant to paragraph (5), which must not exceed 10 years from the date of their recording.

#### Section 13f

##### **Currency conversion**

(1) An operator is obliged to use its centrally set conversion rate between the gaming currency and the Czech crowns or between the gaming currency and another gaming currency conversion between a given currency pair.

(2) An operator must not use multiple rates for

conversion between a given currency pair during a calendar day.

(3) The centrally set conversion rate between currency pairs may not deviate by more than 10 % from the exchange rate calculated for that currency pair using the exchange rate of the Czech crown to each of these currencies declared by the Czech National Bank for the day preceding the date on which the centrally set rate is stipulated.

(4) The operator is obliged to redefine the central exchange rate for conversion between a given currency pair if the current centrally set rate deviates for 30 consecutive calendar days by more than 10 % from the exchange rate determined in accordance with the procedure referred to in paragraph (3).'

26. Section 14, including heading, reads as follows:

#### 'Section 14

##### **Self-exclusion measures**

(1) In the case of gambling games pursuant to Section 3(2)(a) to (c), if registration is a condition for participation in them, Section 3(2)(d) to (f) and online games, the operator is obliged to offer the player and enable him to individually set up self-exclusion measures or individually reject them. The operator must not in any way encourage a participant to reject or reduce self-exclusion measures.

(2) A gambling game participant may, at most once a calendar day, increase or reduce individual self-exclusion measures compared to the value at a given time, either through a user account or at a casino. A request to increase or reduce a self-exclusion measure may be made throughout the casino's operating day or whenever a player is logged into a user account.

(3) An operator must not allow a player to place a bet in the gambling game or enter the gaming premises if this would result in failure to comply with a self-exclusion measure in effect. In doing so, events that have occurred between the beginning of the period covered by this self-exclusion measure and the efficacy of any increase or reduction thereof shall also be taken into account.

(4) If a participant reduces their self-exclusion measures, the change will take effect as of the start of

- a) the seventh calendar day from the date of the reduction, in the case of self-exclusion measures relating to the calendar day; or

b) the calendar month immediately following the calendar month in which the reduction was made, or from the beginning of the seventh calendar day from the date of the reduction, whichever is later, in the case of self-exclusion measures relating to the calendar month.

(5) If multiple reductions of the same self-exclusion measures are to take effect at the same time, only that which was set latest shall actually take effect.

(6) If the participant increases a self-exclusion measure, the change shall take effect immediately. Increasing a self-exclusion measure shall also be deemed to be setting the same value of that self-exclusion measure as is effective at the given moment, or the setting of any value if this self-exclusion measure is not set at the given moment. The efficacy of an increase in a self-exclusion measure eliminates all hitherto ineffective reductions of this self-restricting measure.’

27. A new Section 14a is inserted after Section 14, which, including the heading, reads as follows:

‘Section 14a

**Self-exclusion measures in case of re-registration**

If a gambling game participant cancels a user account and establishes a user account with the same operator within 7 calendar days and a self-exclusion measure was effective at the time of cancellation of the user account, the operator shall not allow the participant to set a more lenient self-exclusion measure when registering.’

28. Section 15(1) to (3) read as follows:

‘(1) In the case of lotteries, fixed-odds betting and totaliser games, if registration is a condition of participation in them, the operator is obliged to allow the player to set the maximum amount of

- a) bets per one calendar day;
- b) bets per one calendar month;
- c) net losses per one calendar day;
- d) net losses per one calendar month.

(2) In the case of technical games and online games, the operator is obliged to allow the participant of the gambling game to configure

- a) the maximum amount of bets per one calendar day;

b) the maximum amount of bets per one calendar month;

c) the maximum net loss per one calendar day;

d) the maximum net loss per one calendar month;

e) the maximum number of logins to the user account in one calendar month, after which the participant will not be allowed to place a bet in the gambling game;

f) the maximum total period of time for which the participant is logged into the user account in one calendar day, beyond which he/she will not be allowed to place a bet in the gambling game;

g) the period during which the participant will not be allowed to place a bet in the gambling game after logging out of the user account.

(3) In the case of gambling games operated in gaming premises, the operator is obliged to allow the player to set the maximum number of visits to the gaming premises in one calendar month. This self-exclusion measure is set in common for all types of gambling games operated by that operator in the gaming premises and shall be assessed cumulatively for all gaming premises operated by that operator.’

29. In Section 15 the following new paragraph (4) is inserted after paragraph (3):

‘(4) In the case of bingo and live games operated in a casino, the operator is obliged to allow the gambling game participant to set a maximum net loss amount per

- a) one calendar day;
- b) one calendar month.’

Paragraphs (4) and (5) are renumbered (5) and (6).

30. In the introductory part of Section 15(5), the word ‘calendar’ is inserted after the words ‘period of one’.

31. In Section 15(6), ‘3’ is replaced by ‘4’.

32. In Section 16(1), the words ‘Register of natural persons excluded from participation in gambling games (hereinafter the ‘Register’)’ are replaced by ‘Register’ and ‘Ministry of Finance (hereinafter the ‘Ministry’)’ is replaced by ‘Ministry’.

33. At the end of Section 16(2)(b), the word ‘a’ is replaced by a comma.

34. At the end of Section 16(2), the full stop is

replaced by a comma and the following points (d) and (e) are added:

- 'd) the date of origin of the reason for the natural person's entry in the Register; and
- e) the date of expiry of the reason for the natural person's entry in the Register.'

35. In Section 16a(1)(e), the word 'or' is deleted.

36. At the end of Section 16a(1), the full stop is replaced by a comma and the following points (g) and (h) are added:

- 'g) who has made use of a means of preventing participation in gambling; or
- h) who is
  1. the debtor in a distraint order requiring payment of a sum of money maintained by the bailiff in accordance with the Distraint Code, if it is registered in the central register of distraint in the section which is a public list, or
  2. a debtor in a tax execution conducted by a tax administration authority of the Czech Republic or an authority of the Customs Administration of the Czech Republic to which an enforcement order has been notified.'

37. In Section 16a(2)(a), the text 'and (f) or' is replaced by ', (f) and (h)'.

38. At the end of Section 17b(2), the full stop is replaced by 'or' and point (c) is added, which reads as follows:

- 'c) 48 hours have elapsed since notification to the Ministry of the use of a means of preventing participation in gambling has elapsed in the case of a natural person entered in the Register pursuant to (1)(g).'

39. In Section 16a(3), the words 'or operator' are inserted after the word 'authority'.

40. Section 16b(4) reads as follows:

- '(4) If a natural person, to submit an application pursuant to paragraph (1) or (3),
  - a) does not elect a proxy,
    1. the signature on the application must be certified;
    2. the application must be signed in front of an authorised employee of the State in the Ministry;

3. the request must be sent by a data message signed in a manner that other legislation associates with the effects of a handwritten signature;

4. the request must be sent by a data message using access with guaranteed identity, provided that the Ministry is technically equipped to do so and publishes this fact on its website; or

5. the application must be mediated by the operator in the manner pursuant to Section 16bb, in the case of an application pursuant to paragraph (1); or

b) does elect a proxy, the signature of the power of attorney must be certified.'

41. After Section 16b, new Sections 16ba and 16bb are inserted, which, including the headings, read as follows:

#### 'Section 16ba

#### **Extension or renewal of the protection period upon request**

(1) At the request of a natural person entered in the Register pursuant to Section 16b, the period pursuant to Section 16b(3) shall be extended by 1 year from the last day of the previous period. The Ministry shall immediately indicate the extension of the period pursuant to Section 16b(3) in the Register.

(2) An application pursuant to paragraph (1) may be submitted not earlier than within the last 3 months of the previous period pursuant to Section 16b(3). An application submitted before this date will not be considered.

(3) If the period pursuant to Section 16b(3) has expired and the natural person is still registered in the Register, that period of one year shall be renewed at their request from the date on which the renewal of the period is indicated in the Register, which shall be carried out by the Ministry without delay.

(4) If a natural person, to submit an application pursuant to paragraph (1) or (3),

- a) does not elect a proxy,
  1. the signature on the application must be certified;
  2. the application must be signed in front of an authorised employee of the State in the Ministry;
  3. the request must be sent by a data message signed in a manner with which another

legislation associates the effects of a handwritten signature; or

4. the request must be sent by a data message using access with guaranteed identity, provided that the Ministry is technically equipped to do so and publishes this fact on its website; or
- b) does elect a proxy, the signature of the power of attorney must be certified.

(5) The extension or renewal of the period pursuant to Section 16b may not be carried out with deferred effect and cannot be subject to the fulfilment of the condition specified in the application.

(6) The extension and renewal of the period pursuant to Section 16b are acts in accordance with Segment Four of the Administrative Code. Notice of the extension or renewal of the period pursuant to Section 16b shall be sent to the person to whom the extension or renewal relates.

#### Section 16bb

#### **Means of preventing participation in a gambling game**

(1) The operator of an online game or gaming premises in which a gambling game is operated, for which a user account is established, is obliged to make available a means of preventing participation in the gambling game

- a) at each gaming position or in any other place accessible at all opening hours in each gaming premises, in a visible manner and in a manner that does not raise doubts as to the meaning, purpose and manner of use of these means;
- b) while logged into the user account for the online game, in a legible and visible manner, which does not raise doubts as to the meaning, purpose and manner of use of these means; this does not apply if the participant has the gambling game displayed in full screen mode.

(2) If a participant makes use of the means pursuant to (1),

- a) the operator is obliged to
  1. offer the gambling game participant the simultaneous submission of an application for entry in the Register through the operator;
  2. at the same time as the offer pursuant to point 1, inform the gambling game participant about

the consequences of registration in the Register; and

3. inform the Ministry without delay, through the information system for the operation of gambling games, that the gambling participant has made use of this means and, where appropriate, is simultaneously submitting the application pursuant to point 1; and
- b) the operator must not allow them to place a bet on any gambling games operated by him for 48 hours from the time of use of these means.

(3) The means pursuant to paragraph (1) may also be made available by an operator other than pursuant to paragraph (1), or may also be made available by means other than pursuant to paragraph (1). This shall be without prejudice to the obligation to make it available pursuant to paragraph (1).

(4) The operator shall ensure that the use of the means pursuant to paragraph (1) is possible only after logging into the user account.

(5) The operator of an online game or gaming premises in which a gambling game is operated, for which a user account is established, is obliged to

- a) allow the gambling participant to submit a request for entry in the Register through the operator via a user account;
- b) inform the participant of the consequences of registration before submitting the request pursuant to point (a); and
- c) transmit without delay the request referred to in point (a) to the Ministry via the information system for the operation of gambling games.

(6) Paragraphs (3) and (4) shall apply mutatis mutandis to the request pursuant to paragraph (5).'

42. In Section 16c(1), the words 'gambling games' are deleted.

43. In Section 16c(2), the words 'gambling games' are deleted.

44. Section 16c(3) reads as follows:

'(3) The Ministry shall issue an extract from the Register to a natural person at their request. If a natural person, to submit a request,

- a) does not elect a proxy,
  1. the signature on the application must be certified;
  2. the application must be signed in front of an

authorised employee of the State in the Ministry;

3. the request must be sent by a data message signed in a manner with which another legislation associates the effects of a handwritten signature; or
  4. the request must be sent by a data message using access with guaranteed identity, provided that the Ministry is technically equipped to do so and publishes this fact on its website; or
- b) does elect a proxy, the signature of the power of attorney must be certified.'

45. After Section 16c, the following Section 16d is inserted:

'Section 16d

**Form with the request for entry in the Register**

(1) On its website, the Ministry shall publish a form with a request for

- a) entry in the Register;
- b) the extension or renewal of the protection period pursuant to Section 16b(3);
- c) deletion from the Register;
- d) an extract from the Register.

(2) The Ministry shall publish on its website the address of the website containing the form pursuant to paragraph 1(a) for the purpose of fulfilling the operator's information obligation.'

46. Section 17, including heading, reads as follows:

'Section 17

**Consequences of entry of a natural person in the Register**

(1) In the case of a person entered in the Register, an operator must not

- a) allow them to enter the gaming premises;
- b) create a user account for them;
- c) allow them to place bets in a gambling game through a user account;
- d) allow them to deposit funds in the user account.

(2) The prohibition pursuant to paragraph 1(a) shall not apply to a person who enters the gaming

premises for the purpose of carrying out an activity related to ensuring the operation of the gaming premises or for the purpose of saving life or health, protecting property or any other public interest.'

47. In Segment One, a new Chapter IV is inserted after Chapter III as follows:

**'Chapter IV**

**Registration and user account**

**Section 17a**

**Registration**

(1) Registration is a condition of participation in

- a) fixed-odds betting;
- b) a totalizator game;
- c) a technical game;
- d) an online game.

(2) Paragraph (1)(a) and (b) shall not apply in the case of fixed-odds betting on animal races and totaliser games on animal races which are operated exclusively at a racetrack at which the betting office receiving the stakes in these games is located.

(3) Registration is provided by the operator at the request of the gambling game participant.

(4) Registration shall include the identification and verification of the identity and age of the gambling game participant, the establishment of a user account and the assignment of access data or other means of access to it.

(5) Where an operator allows the transfer of cash funds or gaming funds between a user account under this Chapter and another similar gambling game account to which paragraph (1) does not apply, the user account provisions under this Chapter shall apply mutatis mutandis to that other similar account. In this case, registration is a condition for participation in such a gambling game.

**Section 17b**

**Registration procedure**

(1) For the purpose of registration, the gambling game participant is obliged to

- a) provide the operator with their identification data;

- b) provide the operator with their contact details to the extent that allows the operator to contact this person by at least 2 different means of communication; and
- c) individually set up self-exclusion measures pursuant to Section 15 or refuse to set them individually.

(2) The operator shall not set up a user account if

- a) the participant does not provide the data referred to in paragraph 1(a) or (b);
- b) the operator does not verify the data provided in accordance with paragraph 1(a) or has doubts as to their veracity;
- c) the gambling game participant does not set up or reject self-exclusion measures in the manner pursuant to paragraph 1(c);
- d) the gambling game participant is entered in the Register; or
- e) the operator does not verify whether the player is entered in the Register.

(3) The operator shall verify the information pursuant to paragraph 2(b) by

- a) performing client identification under the Act on Selected Measures against Legitimization of Proceeds of Crime and Financing of Terrorism; information cannot be verified by identifying the person acting on behalf of the client pursuant to the Act on Selected Measures against Legitimization of Proceeds of Crime and Financing of Terrorism; or
- b) receiving client identification pursuant to the Act on Selected Measures against Legitimization of Proceeds of Crime and Financing of Terrorism;

(4) The operator must keep the information obtained pursuant to paragraph (1) together with information regarding which natural person authorised by the operator has made the first identification of the participant of the gambling game and when this happened, until 3 years have passed from the date of cancellation of the user account.

#### Section 17c

##### **Verification of information**

(1) For the duration of the user account, the operator is obliged to continuously check the accuracy of the identification and contact details of the

gambling participant using appropriate means of communication and update them if they become aware that they are incorrect. The participant in the gambling game is obliged to cooperate with the operator.

(2) The information obtained pursuant to paragraph (1) must be maintained by the operator until 3 years have passed from the date of cancellation of the user account.

(3) The operator is obliged, in a remote manner by means of the information system for the operation of gambling games, to verify whether the participant in the gambling game is not excluded from participation in the gambling game pursuant to this Act, upon

- a) registration;
- b) log in to the user account and
- c) entering the gaming premises.

#### Section 17d

##### **User account**

(1) For the purposes of the regulation of gambling games, a user account means the account of a registered participant in a gambling game maintained by the operator

- a) that is protected by access data or other means of access that are linked to that player;
- b) that allows participation in the gambling game for which it is established;
- c) that allows the deposit and withdrawal of funds related to participation in the gambling game pursuant to point (b);
- d) that contains a record of cash and gaming funds related to participation in the gambling game pursuant to point (b) and their movement; and
- e) that contains records of non-monetary winnings related to participation in the gambling game pursuant to point (b).

(2) The sharing of a user account between multiple participants in a gambling game is prohibited.

(3) The operator may not create multiple user accounts for one type of gambling game.

(4) The operator shall not allow the transfer of registered monetary or gaming funds between the user accounts of different gambling game participants.

(5) The operator must not allow the transfer of

registered monetary or gaming funds between a user account and another similar account for the gambling of a foreign participant in a gambling game.

(6) The operator may not allow the establishment of a user account pursuant to this Act other than in person or through it to place a bet in a gambling game through it other than in person.

#### Section 17e

##### **Financing of online games**

(1) If a user account is set up at least in part for an online game, the gambling game participant shall also include, at the time of registration, the number or other unique identifier of a registered payment account or registered payment instrument so that they can be identified as the holder of a registered payment account or registered payment instrument on the basis of that number or identifier.

(2) A registered payment account may only be a payment account owned by a given gambling game participant held at an entity authorised to provide payment services in a Member State of the European Union or in a State party to the Agreement on the European Economic Area.

(3) A registered payment instrument may only be a payment instrument held by a given gambling game participant, issued by an entity authorised to provide payment services in a Member State of the European Union or in a State party to the Agreement on the European Economic Area.

(4) The operator must not accept funds from a payment account other than a registered payment account, or from a payment instrument other than a registered payment instrument, to a user account established at least in part for an online game.

(5) The operator shall not transfer funds to a payment account other than a registered payment account, or to a payment instrument other than a registered payment instrument, from a user account established at least in part for an online game.

(6) The maximum total funds that may be deposited to a user account established at least in part for an online game are CZK 10,000 per 24 hours. The maximum total funds that may be paid out from a user account established at least in part for an online game are CZK 10,000 per 24 hours.

(7) In a user account established at least in part for an online game, the operator may record monetary and gaming funds separately in sub-accounts for an online game and for a gambling game not operated online.

(8) Where the operator records monetary and gaming funds separately pursuant to paragraph (7), paragraphs (1) to (6) shall apply only to the online game sub-account.

(9) Paragraph (6) shall apply mutatis mutandis to the transfer of monetary and gaming funds between a user account other than pursuant to paragraph (7) and a sub-account for a gambling game not operated online and to a transfer between a sub-account for an online game and a sub-account for a gambling game not operated online, irrespective of whether it relates to the same user account.

#### Section 17f

##### **Restrictions on participants in gambling games**

(1) If a participant in a gambling game does not log into the user account with his or her access data or does not use any other means of access of which he is a legitimate holder, the operator shall not allow them to

- a) log in to this user account;
- b) use this user account; and
- c) participate in the gambling game for which this account has been established.

(2) A gambling game participant must not provide their access data to the user account or any other means of access to that account to another person, or otherwise allow another person to participate in a gambling game through a user account.

#### Section 17g

##### **Recording obligation**

(1) The operator is obliged to continuously record in the user's account all monetary and gaming funds of the participant in the gambling game related to participation in the gambling game, at least to the following extent:

- a) stake;
- b) bet;
- c) winnings;
- d) deposit of funds into the user account;

- e) submission of a request for payment of funds or issuing non-monetary winnings from the user's account;
- f) the payment of funds or the issuance of non-monetary winnings from the user account; and
- g) placing funds paid as an annuity into escrow.

(2) The operator is obliged to record in the user account movements related to monetary or gaming funds recorded in the user account and the actions carried out when the user's account is cancelled.

(3) The operator is obliged to record the monetary and gaming funds in the user account separately from the funds of other gambling game participants and the operator. In the case of an online game, he is also obliged to record them separately from the funds of a foreign player.

(4) The operator must maintain the data recorded in the user account for a period of 3 years from the date of cancellation of the user account.

#### Section 17h

##### **Obligation to provide information**

The operator must provide a participant in a gambling game with an extract of the data recorded in the user account, upon their request delivered to the operator no later than 3 years from the date of cancellation of the user account. An extract from the data recorded in the user account must be provided by the operator without undue delay, but no later than 30 days from the date on which the request was received.

#### Section 17i

##### **Payment of funds from the user account**

(1) At the request of the participant, the operator is obliged to pay the funds from the user's account without delay and free of charge, at least at the place where he receives deposits of funds into the user account. The participant in the gambling game is obliged to provide the operator with the necessary cooperation in the payment of funds.

(2) If the funds cannot be paid out without delay for a legitimate reason, the operator shall at the same time issue to the participant a confirmation of entitlement to payment of funds from the user

account indicating the date of receipt of the request pursuant to paragraph (1). In such a case, the operator is obliged to pay the funds within 60 days from the date on which the request was received. Unpaid funds are recorded by the operator in the user account until their payment or cancellation of the user account.

(3) The operator may not make the payment of funds from the User Account conditional upon the submission of a claim confirmation for payment of funds from the user account.

(4) The operator may not impose stricter conditions for the payment of funds from the user account than for depositing funds into the user account.

(5) The operator may not make the payment of funds from the user account conditional on the amount of the balance on the user's account or the lowest amount that can be withdrawn from the user account.

(6) Paragraphs (1) to (5) shall not apply to funds paid as an annuity.

#### Section 17j

##### **Payment from the user account in special cases**

(1) A lottery or fixed-odds betting operator may, taking into account the amount of funds paid out, reasonably limit the number of places where funds can be paid out from the user account in the gaming plan.

(2) For non-monetary winnings, Section 17i applies mutatis mutandis. The winnings can also be paid out through a voucher for the item or service in question. In the claim confirmation pursuant to Section 17i(2), the operator shall also provide a sufficiently specific description of the prize and its value.

#### Section 17k

##### **Prohibition of charging for inactivity of a gambling game participant**

It shall be prohibited to charge for the inactivity of a gambling game participant. Different arrangements shall not be taken into account.

#### Section 17l

##### **Cancellation of a user account**

(1) The operator is obliged to cancel a user

account if

- a) it finds that the participant in the gambling game in connection with participation in a gambling game through this user account has seriously breached an obligation under this Act;
- b) the participant in the gambling game has not logged into this user account for 24 months; or
- c) all basic permits for the types of gambling games to which a user account is linked expire or are revoked and are not immediately followed by another basic permit for at least one type of gambling game to which the user account is linked.

(2) The operator may, on its own initiative, cancel the user account only for the following reasons:

- a) protection of the player in a gambling game where continuing to participate in a gambling game could seriously endanger the life or health of the player;
- b) termination of a business relationship under the Act on Selected Measures against Legitimization of Proceeds of Crime and Financing of Terrorism; or
- c) conduct of a participant in a gambling game contrary to good morals or public order.

(3) The operator shall not cancel a user account pursuant to (1)(b) if

- a) the gambling game participant has placed a bet in a gambling game that has not been evaluated through this user account; or
- b) 30 days have not elapsed since the date of the last evaluation of a bet.

#### Section 17m

##### **Cancellation of a user account upon request**

(1) The operator is obliged to cancel the user account of a gambling game participant if the gambling game participant asks it to do so. Until the date of cancellation of the user account, the gambling participant may withdraw the request for cancellation of the user account. In such a case, the operator may claim reimbursement of demonstrably and efficiently incurred cash expenses associated with the cancellation of the account.

(2) The operator is obliged to issue to the gambling game participant a written confirmation of receipt of the request for cancellation of the user account, in which he shall state

- a) the date the request was received;
- b) identification of the user account;
- c) identification of the gambling game participant;
- d) identification of the operator;
- e) the authorised person who issued the certificate and their signature;
- f) identification of the place where the request for cancellation of the user's account was submitted, if the request was submitted in person.

(3) If a request for cancellation of a user account is made using means of distance communication, the operator shall send the confirmation referred to in paragraph (2) to the gambling game participant in a demonstrable manner using the applicable contact details.

(4) The operator is obliged to accept requests for cancellation of a user account made

- a) at any place where it performs registration for the given gambling game;
- b) through a postal service provider;
- c) through the user account of the gambling game participant in the case of a user account for an online game;
- d) by a means of remote access other than those pursuant to points (b) and (c); and
- e) where applicable, in a place or in a manner other than those pursuant to points (a) to (d).

(5) The operator is obliged to specify the method and to publish the addresses at which it accepts the request for cancellation of a user account pursuant to paragraph (4)(b) and (d). The operator may specify the place and method of submitting a request for cancellation of a user account pursuant to paragraph (4)(e). In such a case, it is obliged to publish it together with the procedure for submitting the request.

(6) The operator must not make the cancellation of the user account subject to an unreasonable condition.

#### Section 17n

### **Cancellation of a user account in case of death**

(1) The operator is obliged to cancel the user account of a gambling game participant immediately after it finds out the gambling game participant has died.

(2) The person administering the estate, the heir to the claim under a gambling game contract or the legatee who has acquired such a claim are obliged to inform the operator of the death of the gambling game participant.

(3) The play of a gambling game in which a bet is placed up the date of death of the gambling participant shall be assessed as if the gambling game participant were alive.

(4) The play of a gambling game in which a bet is placed after the date of death of the player is not evaluated.

#### Section 17o

### **Objection to cancellation of a user account**

(1) If the participant in a gambling game has doubts about the correctness of the cancellation of the user account, they may object in writing to the operator within 15 days from the date on which they receive information about the cancellation of the user account from the operator.

(2) In the objection, the gambling game participant shall state the reasons for their doubts.

(3) The operator is obliged to confirm the acceptance of the objection without undue delay and to provide a written explanation to the gambling game participant within 30 days from the date on which the objection was received.

(4) If the objection is justified, the operator will not cancel the user account.

#### Section 17p

### **Common provisions for the cancellation of a user account**

(1) The operator is obliged to cancel the user account free of charge.

(2) When the user account is cancelled, the operator must

a) immediately prevent the given gambling game participant from

1. placing bets in the gambling game for which the user account is set up and
  2. depositing funds to this user account;
- b) inform the gambling game participant without delay of the cancellation of the user account, of the reason for the fulfilment of the condition for the cancellation of the user account and of the possibility of objecting to this procedure; this does not apply if the user account is cancelled due to the death of the gambling game participant;
- c) evaluate all gambling games, if permitted by this Act; if the user account is cancelled due to the cancellation or termination of the basic permit, the operator is obliged, instead of evaluating the gambling game, to return to the player the stake in the gambling game, the evaluation of which is to take place after the date of cancellation or termination of the basic permit;
- d) in accordance with the procedure laid down in the Act governing consumer protection, to settle the right from defective performance related to the gambling game for which the user account is established, applied up to the date of evaluation of all bets pursuant to (c);
- e) assess the objection raised against the cancellation of the user account; and
- f) attempt to disburse the gambling game participant all funds registered in the user

account no later than 30 days from the date on which the last of the steps referred to in (a) to (e) was completed, using the payment details at its disposal and, if not available, a postal voucher to the address of the gambling participant's residence or place of permanent or other similar residence, if it is possible to send a postal voucher to that address.

(3) The operator is obliged to inform the gambling participant in accordance with paragraph (2)(b) in a demonstrable manner using valid contact details.

(4) The operator is obliged to allow the gambling game participant to access the user account until the date of cancellation of the user account.

(5) The user account is cancelled on the day on which, after the completion of the steps referred to in paragraph (2)(a) to (e), the full payment of funds from the user's account or the expiry of the period referred to in paragraph (2)(f), whichever date was earlier.

(6) Upon expiry of the period referred to in paragraph (2)(f), a claim for payment of funds from the user account registered in that account on the date of its cancellation shall not expire.’.

48. In Section 21(2), the words ‘the product of the number of bets placed and the amount of the stake for the bet that may’ are replaced by the words ‘the sum of bets placed. The gaming principal can be’.

49. Section 22, including heading, reads as follows:

‘Section 22

**Lottery tickets**

(1) A lottery ticket must contain at least

- a) identification of the operator;
- b) the number of lottery tickets issued and the selling price;
- c) serial number and, where applicable, series number;
- d) the type, number and total value of the prizes;
- e) the method, place and date of the draw, or the circumstance that decides on a prize;
- f) how a prize is announced;
- g) the designation of the location where the prize is issued;
- h) the deadline by which the operator must issue the prize;
- i) security features against counterfeiting or falsification; and
- j) the information provided for in the decree, if applicable, indicated in the manner laid down in this Decree.

(2) The operator is obliged to create all cash, cash, or instant lottery tickets before issuing the lottery tickets for sale.

(3) Before issuing tickets for sale, the operator shall check the number of tickets, the conformity of the tickets drawn up with the ticket model, the documentation demonstrating the security of the tickets against misuse and production specifications, and, in the case of non-cash and cash lotteries, the correctness of the serial numbers of the tickets or, where applicable, the correctness of the serial numbers of the lot. This check must be certified by a notarial deed. If deficiencies are detected, the operator is obliged to remove them and perform a

repeated inspection certified by a notarial deed.

(4) The operator must not release for sale

- a) any lottery ticket created if
  1. not all lottery tickets have been created;
  2. one of the tickets created does not correspond to the lottery ticket model, the documentation demonstrating the security of the tickets against misuse or the manufacturing specifications;
- b) a lottery ticket if
  1. it subsequently discovers that it is damaged, or
  2. its release for sale could lead to a breach of the obligation under Section 7(2)(i) or (j).

(5) The operator is obliged to take measures so that a lottery ticket returned by the seller cannot be misused.

(6) The operator is obliged to ensure that lottery tickets are kept in a sealed package in a suitable and safe place in the case of

- a) unsold tickets;
  1. at the latest before the start of the draw of a cash or non-cash lottery;
  2. immediately after the date of termination of the sale of instant-win lottery tickets;
  3. immediately after the date of revocation or termination of the basic permit that is not immediately followed by another basic permit allowing the operation of the given lottery to continue; and
- b) lottery tickets not issued for sale pursuant to paragraph 4(b), immediately after establishing the reason for not issuing the lottery tickets for sale.

(7) The operator is obliged, within 2 years from the last day of the deadline for claiming the prize, to demonstrably destroy a lottery ticket

- a) that it is obliged to keep in accordance with paragraph (6), or
- b) if the prize has been paid on the basis of its presentation.’.

50. Section 23 and 24 are deleted, including their headings.

51. Section 25(2) reads as follows:

‘(2) The operator shall maintain the interval specified in the basic permit between the draws of the same gambling game.’.

52. The following Section 25(3) and (4) are added:

'(3) A lottery draw using a device that creates a random outcome process using a deterministic algorithm to determine the game result may be performed by the operator without the participation of a notary.

(4) If the draw of a shared lottery operated with a person authorised to operate a lottery in the territory of another Member State of the European Union or a State party to the Agreement on the European Economic Area is carried out in a foreign State by that person, paragraph (1) shall not apply. In this case the draw shall be certified by a document issued by an authority of that State.

53. In Section 26(1), the words 'to Section' are replaced by ', 22 and' and the words 'Section 92(2), (3) and (4)' are replaced by 'Section 91'.

54. In Section 26(3), the words 'Section 23 and 25' are replaced by 'Section 22(3) or Section 25(1) or a document pursuant to Section 25(4)'.

55. In Section 26(4), 'Section 25' is replaced by 'Section 22(3)'.

56. Section 26(5) reads as follows:

'(5) A copy of the report shall be sent by the operator to the customs office within 20 days from the date of

- a) the draw, or
- b) the expiry of the deadline for claiming the right to a prize in the case of an instant-win lottery.'

57. A new Section 26a is inserted after Section 26, which, including the heading, reads as follows:

'Section 26a

#### **Refund of stakes**

(1) The operator is obliged to refund to a gambling game participant the stake entered in a lottery game, the evaluation of which is to take place after the date of cancellation or termination of the basic permit, if

- a) the cancellation or termination of the basic permit does not result in the cancellation of the user account if one is established for this lottery; and
- b) this basic permit is not immediately followed by

another basic permit allowing the operation of the lottery to continue.

(2) The operator is obliged to refund the stakes pursuant to paragraph (1) to the user account. If a user account is not set up for the lottery, the provisions governing the exercise of the right to the prize shall be followed *mutatis mutandis*.'

58. In Segment Two, Chapter Two, Parts 1 and 2, including the headings, shall read as follows:

'Part 1

Fixed-odds bet

Section 27

#### **Definition of a fixed-odds bet**

A fixed-odds bet is a gambling game where winning is conditional on guessing a betting opportunity and the amount of the winnings is directly proportional to the odds ratio (hereinafter the 'odds') for which the bet was accepted and the amount of the bet.

Section 28

#### **Live odds bet**

(1) A live odds bet is a fixed-odds bet accepted during a betting event usually lasting no more than 24 hours.

(2) A live odds bet shall also be a fixed-odds bet other than pursuant to paragraph (1) that the operator accepts as a live odds bet.

(3) The operator of each betting opportunity on which he has accepted a live odds bet shall make a data record with a simultaneous record of the exact time. The operator is obliged to keep this record for one year.

Section 29

#### **Early payment of part of the winnings**

(1) Before evaluating the betting opportunity, the operator may offer the player payout of part of the winnings if he is not yet aware of the outcome of the betting opportunity. The offer expires at the latest at the moment of the evaluation of the betting opportunity.

(2) The participant is not obliged to accept the early payment of a part of the winnings.

Section 30

### **Odds obligation**

(1) The operator is bound by the odds in which he has accepted the bet, even if this has been the result of an error or an incorrect procedure, even if it is an obvious error or manifestly incorrect procedure.

(2) Paragraph (1) shall not apply to a bettor who has caused the error or incorrect procedure himself by deceit or in cooperation with a person pursuant to Section 38.

## **Part 2**

### **Totalizator game**

#### **Section 31**

#### **Definition of a totalizator game**

A totalizator game is a gambling game where winning is conditional on guessing a betting opportunity, with the exception of fixed-odds betting.

#### **Section 32**

#### **Total winnings**

(1) The total payout of the totalizator game must not be less than 40 % and no more than 90 % of the gaming principal.

(2) The gaming principal is the sum of the bets placed. The game principal may be supplemented by unachieved winnings from previous wagering periods.'

59. In Segment Two of Chapter II, a new Section 33 is inserted after the heading of Part 3, which including the heading reads:

#### **'Section 33**

#### **Betting event and betting opportunity**

(1) A betting event means, in particular, a sporting event or an event of public attention.

(2) A betting opportunity means the possible outcome of a betting event.'

60. Section 34, including heading, reads as follows:

#### **'Section 34**

#### **Betting ticket**

The betting ticket must contain the exact time the bet on a betting opportunity was accepted.'

61. At the end of Section 36(1)(c), the words 'in the case of a fixed-odds bet' are added.

62. In Section 37(1), the word 'opportunity' is replaced by 'event'.

63. Section 37(5) is added, which reads:

'(5) The operator shall not accept bets on a betting event that is a gambling game.'

64. In Section 38(3), the word 'opportunities' is replaced by 'events' and the word 'opportunity' is replaced by 'event'.

65. A new Section 38a is inserted after Section 38, which, including the heading, reads as follows:

#### **'Section 38a**

#### **Refund of stakes**

(1) The operator is obliged to refund to a gambling game participant the stake entered in a fixed-odds bet or a totalizator game, the evaluation of which is to take place after the date of cancellation or termination of the basic permit, if

- a) the cancellation or termination of the basic permit does not result in the cancellation of the user account; and
- b) this basic permit is not immediately followed by another basic permit allowing the continued operation of this fixed-odds betting or totalizator game.

(2) The operator is obliged to refund the stakes pursuant to paragraph (1) to the user account. If a user account is not set up for fixed-odds betting or totalizator game, the provisions on the exercise of the right to win shall be followed mutatis mutandis.'

66. In Section 39(1), the words 'to be completed by the bettor' are deleted and the words 'and by notifying the operator in the manner specified by it' shall be inserted after the word 'numbers'.

67. In Section 39(2), the words 'gaming premises' are replaced by the word 'casino'.

68. In Section 39(3), the words 'to be created on a betting ticket in order to win' are replaced by the words 'whose achievement is conditional upon winning and the manner in which that fact is

announced’.

69. In Section 39 the following new paragraph (4) is inserted after paragraph (3):

‘(4) The operator may only sell betting tickets with predetermined numbers.’.

Paragraphs (4) and (5) are renumbered (5) and (6).

70. In Section 39(5), the words ‘included in the same game of bingo’ are inserted after the word ‘ticket’.

71. In Section 39(6), the words ‘Betting tickets may be sold’ are replaced by ‘Selling tickets and paying out winnings is possible’ and at the end of the paragraph the following sentence is added: ‘The operator may not accept a bet in a single game of bingo in multiple currencies’.

72. At the end of Section 40(2), the sentence ‘The gaming principal may be supplemented by unachieved winnings from previous betting periods’ is added.

73. Section 44, including heading, reads as follows:

‘Section 44

**Participation in a technical game**

(1) From when a bet is placed in a technical game until its evaluation, the operator shall not allow the player to place a bet in another technical game, regardless of whether they are operated in the gaming premises or as an online game.

(2) The user account must not allow simultaneous operation of multiple gaming positions located in the gaming premises.

(3) The operator shall not allow the player to place a bet in any technical game if less than 15 minutes have elapsed since the last evaluation of the gambling game in a continuous betting sequence of at least 120 minutes.

(4) The continuous betting sequence pursuant to paragraph (3) means the gradual placing of bets in a technical game in which the interval between the evaluation of the gambling game and the placing of a bet in a subsequent game is less than 15 minutes. One continuous betting sequence includes all instances of technical games operated by the operator, whether they are operated in the gaming premises or as an online game.

(5) The duration of the continuous betting sequence pursuant to paragraph (3) means the period from the placing of the first bet in that sequence to the evaluation of the last gambling game in that sequence.’.

74. Section 45 to 49 are deleted, including their headings.

75. In Section 50(2), the word ‘seconds’ is replaced by ‘seconds’.

76. Section 50(3) is deleted.

77. In Section 52(3) the amount ‘CZK 1000’ is replaced with ‘CZK 500’.

78. Section 53, including the heading, is deleted.

79. In Segment Two, Chapter V, including the title, reads as follows:

‘Chapter V

Live game

Part 1

Common provisions for live games

Section 57

**Definition of a live game**

(1) A live game is a gambling game in which bettors play at a live game table without the number of bettors and the amount of the bet in one game being specified in advance, either against the dealer or against each other.

(2) Live game means mainly roulette, card game, card tournament and dice game.

(3) For the purposes of this Act, a croupier means a natural person authorised by the operator to operate a live game playing table.

Section 58

**General requirements for a live game**

(1) Live games can only be played in a casino.

(2) The operator may not operate a live game in multiple currencies simultaneously on a live game playing table.

(3) The operator must ensure that any person acting for the operator in a casino when handling value tokens, playing tokens, banknotes and coins

proceeds in accordance with the Decree laying down the conditions for the operation of gambling games.

## Part 2

### Live games in a casino

#### Section 59

##### **Live game playing table**

(1) The casino operator is obliged to assign a live game playing table that is located in the casino and used for live play a live game playing table registration number and mark it visibly on thereon.

(2) For the purposes of this Act, the live game table registration number is a registration number or other live game table identifier that is unique in the given casino.

(3) The device that creates the random process of the outcome of the live game in the casino must be an integrated part of the live game table.

#### Section 60

##### **Value chips**

(1) Chips with value and currency markings (hereinafter 'value chips') are used for a live game at a casino. Value chips must have a material nature.

(2) A set of value chips means a set of value chips in a single currency in which chips of the same value are made according to the same model and chips of different values are distinguishable from each other from far away, even if only the edge of the chip is visible.

(3) The operator is obliged to use only one set of value chips per currency per casino.

(4) The operator may replace the set of value chips used in the casino with a new set of value tokens at the decisive moment. From the decisive moment, the original set of value chips may not be used on any live game playing table in this casino. The operator is obliged, by the end of the operating day immediately following the decisive moment, to enable the gambling participant to exchange value chips from the original set at the casino cash desk for value chips from the new set.

(5) A set of value chips in which chips of a certain value has been replaced with chips made according to a new model shall be regarded as a new set of value chips.

#### Section 60a

##### **Playing chips**

(1) Playing chips can also be used for live casino play, which can be obtained by exchanging value chips at the live game playing table. The playing chips must be material, tied to a particular player and applicable only at the live game playing table at which they have been exchanged.

(2) The croupier serving the live game playing table shall exchange playing and value chips whenever the gambling game participant so requests.

#### Section 60b

##### **Transactions with chips**

(1) Value chips can only be purchased or exchanged at the casino cash desk. At a live game playing table, it is possible to purchase value chips from a set of value chips used at the given live game playing table for money in the currency of the chips used in this set.

(2) The operator is obliged to keep a record of all payment transactions related to the purchase or exchange of value chips, including the date and time of the transaction and the identification details of the gambling game participant making the transaction from the moment of the transaction. This record must be kept by the operator for a period of 10 years from the date of execution of the transaction.

(3) If the operator allows the purchase of value tokens at the cash desk and at the live game playing table at the same time, the operator shall carry out and record all payment transactions and the exchange of chips in such a way as to ensure a uniform record of all transactions and compliance with set self-exclusion measures pursuant to Section 15(4).

(4) The operator is obliged to exchange the value tokens presented at the casino cash desk for funds. If the gambling game participant agrees, the operator may pay these funds by wire transfer. In this case, the operator is obliged to issue a claim confirmation for payment of funds against value tokens, to which Section 10b(5) applies mutatis mutandis.

(5) It is prohibited to use value tokens to pay debt not arising from a gambling game.

(6) The operator is obliged to write up a record of unreturned or lost value tokens on the day on

which it discovers this fact.

#### Section 60c

##### **Prohibition of transfer between cash registers**

(1) The operator must not allow the transfer of funds from the casino cash register to the cash register for banknotes and coins or cash register for tips during the business day.

(2) The operator must not allow the subsidy of value tokens between cash registers for subsidising value tokens or from the cash register for tips during an operating day.

#### Part 3

#### Card tournament

#### Section 60d

##### **Definition of a card tournament**

A card tournament means, for the purposes of legislation governing gambling games, a card game tournament where bettors play against each other.

#### Section 60e

##### **Prohibition of non-card tournaments**

The operator may not operate a tournament other than a card tournament.

#### Section 60f

##### **Tournament chips**

(1) For a card tournament, tournament chips are used that must be material and different from value chips.

(2) After full payment of the stake, the operator issues tournament chips to the player. If not issued on the spot, the operator is obliged to issue a certificate of payment of the stakes in the card tournament that entitles the gambling game participant to receive the tournament chips, in which at least the following are provided:

- a) identification of the gambling game participant;
- b) identification of the operator;
- c) the amount of the stake;
- d) the date and time of payment of the stake;
- e) the name, day and place of the card tournament.

(3) Tournament chips can only be issued at the

casino cash desk or at the live game playing table, only on the day of the card tournament.

(4) When the card tournament is interrupted the operator must issue the player a certificate with at least the following information:

- a) identification of the gambling game participant;
- b) identification of the operator;
- c) the name, day and place of the card tournament;
- d) the date and time of the interruption of the card tournament; and
- e) information about the interim placement in the card tournament or other facts relevant to the course of the card tournament in accordance with the rules of the card tournament.

(5) The operator may not exchange tournament chips for value chips, playing chips or cash.

(6) It shall be prohibited to use tournament tokens to pay debt not arising from a gambling game.'

80. In Section 61(1), the words 'held in connection with cultural, sporting, sales or advertising or other social events' shall be inserted after the word 'game'.

81. Section 61(2) reads as follows:

'(2) Betting tickets can only be sold together with a ticket for a social event or for the duration of the social event. If the ticket for a social event serves as a betting ticket and the amount of the stake is not indicated on the ticket, the operator must inform the participant of the amount of the deposit.'

82. In Section 61 the following new paragraph (3) is inserted after paragraph (2):

'(3) Draws may be made and prizes may be issued only during the event referred to in paragraph (1).'

Paragraph (3) is renumbered as (4).

83. In Section 61(4), the number '10' is replaced by '9a to 10c', '62' is replaced by 'up to 13b, 13d to 13f, Section 62(1) and (3)' and 'CZK 100,000' is replaced by 'CZK 200,000'.

84. In Section 64(1) the amount 'CZK 500' is replaced with 'CZK 1,000'.

85. In Section 65(2), the word 'always' is deleted.

86. The heading of Section 66 reads as follows: '**General requirements for game premises**'.

87. Section 66(1) is deleted.

Paragraphs (2) and (3) are renumbered (1) and (2).

88. In Section 66(1), the words 'and in their immediate vicinity' shall be inserted after the word 'located'.

89. Section 66(3) to (5) are added, as follows:

'(3) Access to the gaming premises for visitors must be via a separate entrance

- a) from the outside to the building in which the gaming premises are located, or
- b) from a publicly accessible internal part of the building with the exception of an establishment under the Trade Licensing Act or other similar premises under another act governing business or other gaming premises.

(4) Access to the gaming premises for visitors can be a separate entrance from a publicly accessible internal part of a building that is a mass accommodation facility.

(5) The operator is obliged to ensure that a person authorised to take action vis-à-vis the supervising authority during the performance of the inspection is present in the gaming premises throughout their operating hours.'

90. The following Section 67(6) to (8) are added:

'(6) The operator is obliged to operate all permitted gaming positions throughout the operating hours of the gaming establishment. This does not apply if there has been an emergency preventing its operation or if its planned downtime has occurred.

(7) If there is a change in the permit to situate gaming premises consisting of a change in the number of permitted gaming positions or an exchange of permitted gaming positions, the operator shall be obliged to bring the operating gaming positions into line with that permit no later than 5 working days from the date on which the change takes effect.

(8) If at least 15 permitted technical game positions are not operated in the gaming premises during the entire operating hours of the gaming premises, the operator shall be obliged to close the gaming premises until this state of affairs has been eliminated.'

91. Section 68(4) to (6) are deleted.

92. After Section 68, new Section 68a to 68c are inserted, which, including their headings, read as follows:

'Section 68a

#### **Requirements for a live game in a casino**

(1) In a casino, at least three eligible live game tables must be available for play throughout the casino's operating hours.

(2) The operator is obliged to operate all eligible gaming tables throughout the casino's operating hours. The operator shall not be obliged to operate an eligible live game table during the casino's operating hours if an extraordinary event preventing its operation has occurred or if its planned downtime has occurred.

(3) The operator must not allow live game play on a non-eligible live game table outside its operating section nor on an eligible live game table that is not being operated due to an incident preventing its operation or due to planned downtime.

(4) If at least three eligible live game tables are not being operated in the casino, the operator is obliged to close the casino until this state of affairs is rectified.

(5) For the purpose of operating a live game, the following definitions apply:

- a) an eligible live game table is a live game table that, in accordance with the permit for the situation of the gaming premises, is designated for operation throughout the casino's operating hours and that is not in a studio; and
- b) a non-eligible live game table is a live game table other than pursuant to point (a).

Section 68b

#### **Requirements for a technical game in a casino**

(1) In a casino where a technical game is operated, the operator can operate

- a) precisely 30 permitted technical gaming positions, provided that at least three eligible live game tables are operated in the casino;
- b) at least 30 and at most ten times the number of eligible live game tables of permitted technical game gaming positions, provided that at least four and at most nine eligible live game tables are operated in the casino;
- c) at least 30 permitted technical game gaming positions if at least ten eligible live game tables are operated in the casino.

(2) The operator is obliged to operate all permitted technical game gaming positions

throughout the casino's operating hours. In the event of downtime of an eligible live game table, the operator shall not exceed the maximum number of permitted gaming positions of the technical game pursuant to paragraph (1). The operator shall not be obliged to operate a permitted gaming position throughout the casino's operating hours if there is an extraordinary event preventing its operation or if its planned downtime has occurred.

(3) If there is a change in the permit to situate gaming premises consisting of a change in the number of permitted gaming positions or an exchange of permitted gaming positions, the operator shall be obliged to bring the operating gaming positions into line with that permit no later than 5 working days from the date on which the change takes effect.

(4) The operator may not operate a technical game in the casino unless at least 30 authorised technical gaming positions are operated in the casino during its entire opening hours.

#### Section 68c

##### Studio

(1) For the purposes of this Act, a studio means the part of a casino whose situation is permitted in a permit for situating gaming premises, set aside by its operator for the operation of a transmitted live game. In case of doubt as to whether a particular place is in the studio, it is considered not to be in it.

(2) The casino operator may not set include an eligible live game table in the studio.

(3) The operator of a broadcast live game must ensure that the studio is separated from the rest of the casino for the duration of the studio's operating segment, so that a person who does not provide for the operation of the live game broadcast in that studio is prevented from entering the studio or otherwise interfering with the operation of the broadcast live game from outside the studio.

(4) In the studio, only a broadcast live game can be operated during its operating segment.

(5) In the studio, the broadcast live game can be operated by a different operator than the casino operator. For the duration of one operating segment of the studio, several operators may operate the live game broadcast in that studio. Each of them shall be responsible separately for the fact that the live game it

operates is operated in accordance with this Act.

(6) The casino operator is obliged to keep records for each casino of studios, in which, for each studio located in that casino, it shall specify

- a) the designation of the studio, which must be unique within one casino;
- b) unambiguous identification of the location and limits of the studio, drawn into the ground plan of the casino, indicating the live game gaming tables in the studio; and
- c) the studio's operating segments, specifying
  1. the operator of the live game broadcast;
  2. the date and time of commencement of the operating segment; and
  3. the date and time of the end of the operating segment.

(7) The casino operator is obliged to keep records pursuant to paragraph (6) for three years from the end of the operating segment. The records must be accessible at the casino to which they relate, in such a way that the supervisory authority can consult them at any time during its opening hours and the operating segment of the studio located in that casino.'

93. Section 70, including heading, reads as follows:

#### 'Section 70

##### Operating day of a casino

(1) For the purposes of this Act, the operating day of a casino shall mean a segment of time during which the operator operates gambling games in the casino, defined by:

- a) opening hours or
- b) or another suitable manner, not exceeding 24 hours, in the case of continuous operation.

(2) The casino's operating day is referred to as the calendar day on which the operating day begins.

Only one operating day can start on one calendar day.

(3) An operating segment of the casino cash desk means a contiguous part of the operating day on which it is operated. The operating segments of the casino cash desk must not overlap with each other.

(4) Paragraph (3) shall apply mutatis mutandis to the operating segment of a live game table, the operating section of a card tournament and the operating segment of bingo.

(5) For the purposes of this Act, the operating segment of a studio is defined as a contiguous segment of time in which the broadcast of a broadcast live game takes place and the activities related to the commencement and termination of such broadcast. The operating segments of an individual studio must not overlap with each other.'

94. In Section 71(1), the words 'pursuant to Section 16' are deleted.

95. In Section 71 the following new paragraph (2) is inserted after paragraph (1):

'(2) The activities pursuant to paragraph (1) must be carried out by the operator in a defined part of the gaming premises. The operator must ensure that from this defined part of the gaming premises and from the access path between the entrance to the gaming premises and this defined part of the gaming premises, it is not possible to view other internal areas of the game area or to watch any game being operated in those gaming premises.'

Paragraphs (2) and (3) become (3) and (4).

96. Section 71(3) reads as follows:

'(3) The operator of a gaming establishment or casino is obliged to keep daily records of all visitors and maintain them for three years from the date of the last registration. The daily records of all visitors must be accessible at the gaming establishment or casino in such a way that the supervisory authority can consult them at any time during the opening hours of the gaming establishment or casino. The operator is obliged to record at least the following in the daily records:

- a) the name and surname of the visitor;
- b) the date of birth of the visitor;
- c) the date and time the visitor entered the gaming establishment or casino.'

97. Section 71(5) is added, which reads:

'(5) A person entering a gaming establishment or casino for the purpose of carrying out activities related to ensuring their operation or for the purpose of saving life or health or protecting property or other public interest shall not be considered to be a visitor of the gaming establishment or casino. The operator must not allow that person to participate in a gambling game operated in those gaming premises during their presence in the gaming premises.'

98. Section 72, including heading, reads as follows:

'Section 72

### **Monitoring equipment**

(1) The operator of gaming premises is obliged to equip them with monitoring equipment.

(2) The operator of a studio is obliged to equip it with monitoring equipment.

(3) Monitoring must be conducted in an uninterrupted, non-slow-motion recording that enables subsequent reproduction. The monitoring equipment must be equipped with a time and data function and the recorded recording must be coloured, clear, clear and discernible. Sound is recorded along with the image being recorded. The recorded sound must not be distorted compared to monitored reality.

(4) The operator is obliged to keep the recordings made by the monitoring equipment and its backup for two years in such a way as to prevent damage, misuse, theft or destruction. At the same time, when handling recordings, the operator is obliged to comply with the conditions laid down in legislation governing the processing of personal data.

(5) The operator shall verify the functionality of the monitoring equipment every 24 hours, make a written record of the verification, indicating the date and time of the verification, and notify the customs office of any malfunction and the date of its elimination within 24 hours of the detection of the malfunction. The recording shall be accessible in the gaming premises in such a way that it can be consulted by the supervisory authority at any time during the opening hours of the gaming premises. The operator is obliged to keep this record for three years from when it was made. The competent customs office for notification of malfunction shall be the customs office acting in the territory of the higher territorial self-governing unit in which the gaming premises are located.

(6) The customs office must be given access to the premises where the monitoring equipment is located. The operator must, including outside the premises of the gaming establishment or casino, make available to the customs office the recording made by the monitoring equipment, provide information on the computer software and hardware used to operate the monitoring equipment and to allow them to be used for the purpose of supervision.'

99. The following Section 72a to Section 72d are inserted after Section 72 which, including their header, read as follows:

'Section 72a

**Monitoring in a gaming establishment**

(1) Monitoring devices in the gaming premises must monitor throughout operating hours, in real time,

- a) the gaming premises entrance and
- b) the entire area of the gaming premises used for the operation of gambling games, including a defined part of the gaming premises pursuant to Section 71(1) and (2) and the area where the persons applying for registration under Section 17b(1)(a) are identified, and all the gaming positions of a technical game.

(2) In the event of a malfunction of monitoring equipment in a defined part of the gaming establishment pursuant to Section 71(1) and (2) or in an area where the persons applying for registration under Section 17b(1)(a) are identified, the gaming establishment must be closed until the malfunction of that equipment is resolved.

Section 72b

**Monitoring in a casino**

(1) Monitoring devices in the casino must monitor throughout operating hours, in real time,

- a) the casino entrance and
- b) each live game table located in the casino, whether or not the live game table is operated, so that the entire area of that table is recorded on a monitoring recording from at least one camera, including the whole roulette wheel and the entire roulette table, the cash registers for subsidising chips, cash registers for banknotes and coins and tipping cash registers;
- c) the casino cash desk; and
- d) the entire casino premises that are used to operate gambling games, including a defined part of the gaming area pursuant to Section 71(1) and (2), and the area where the persons applying for registration are identified pursuant to Section 17b(1)(a), in such a way that monitoring covers all the playing tables of the live game, all the technical game gaming

positions, if operated in the casino, and all premises where transactions are carried out with banknotes and coins, chips, cards, dice or other means used for live play.

(2) At least the digits on the roulette wheel and on the tables of the live game, the chips, the value of the cards, the dice and other aids used in the live game, the number of chips and the value of banknotes and coins must be clearly visible from the monitoring recording made by the monitoring equipment in the casino.

(3) The casino operator shall not be required, for the duration of the operating segment of the studio in which another operator holding a basic permit for that gambling game operates the live game table, to make a recording from a camera monitoring the area of the live game table if that camera only monitors the live game tables located in that studio. This is without prejudice to the obligation to make recordings with cameras covering the entire premises of the casino used for the operation of gambling games pursuant to paragraph 1(d).

(4) In the event of a malfunction of monitoring equipment in the casino, a live game may not be operated on a gaming table whose monitoring is affected.

(5) In the event of a malfunction of monitoring equipment at the cash desk in a defined part of the casino pursuant to Section 71(1) and (2), in the area where the persons applying for registration under Section 17b(1)(a) are identified, or at all gaming tables in the casino at the same time, the casino must be closed until the malfunction of this equipment is eliminated.

(6) Paragraphs (4) and (5) shall not apply to a live game table situated in a studio in which another operator holding a basic permit for that gambling game operates the live game being broadcast.

Section 72c

**Monitoring in the studio**

(1) The monitoring equipment in the studio must monitor, during the entire operating segment, in real time,

- a) each live game table located in the studio so that the entire surface of that table is recorded on a monitoring recording of at least one camera, including the whole roulette wheel and the entire roulette table; and
- b) the entire area of the studio used to operate

gambling games, in such a way that monitoring covers the individual live game gaming tables and areas where operations are carried out with cards, dice or other means used in a broadcast live game.

(2) The monitoring recording made by monitoring equipment in the studio must clearly show the numerals on the roulette wheel and on the live game gaming tables and the value of the cards, dice and other aids used in live play.

#### Section 72d

##### **Camera system schematic**

(1) The operator is obliged to have a schematic of the camera system in each gaming premises and casino. The operator of a broadcast live game is obliged have a schematic of the studio's camera system in each studio from which it operates a broadcast live game.

(2) If there is a change in the information in a camera system schematic, the operator must draw up a new schematic of the camera system without delay.

(3) A camera system schematic must contain,

- a) in the text section, at least
  1. the name of the gaming premises, casino or studio to which it relates;
  2. the date of the schematic was created; and
  3. the date and time it became effective, and
- b) in the drawing part, the layout of the gaming premises, casino or studio, with an accurate and clear representation of the location of all
  1. the terminal equipment through which a technical game is operated, their permitted gaming positions with their serial number that are located in the casino or casino;
  2. live game gaming tables with their registration number that are located in the casino or studio; if the casino contains live game gaming tables used exclusively for a broadcast live game operated by an operator other than the casino operator, the casino operator may indicate in the camera system schematic only the location of the studio, together with its designation according to studio records, instead of those tables;

3. devices creating a random bingo result process with their serial number located in the casino;
4. cameras that are part of monitoring equipment uniquely identified to facilitate the search for the monitoring recording made by the camera and indicating their angle of view.

(4) The camera system schematic must be accessible in the premises to which it relates, in such a way that it can be consulted by the supervisory authority at any time during their opening hours.

(5) The operator must maintain the camera system schematic for three years after the last day of its validity.'

100. Segment Four, including the heading, reads as follows:

#### **'PART FOUR**

#### **ONLINE GAMES AND THE CONDITIONS OF THEIR OPERATION**

##### Chapter I

##### Online games

##### Part 1

##### General provisions

#### Section 73

(1) Gambling games pursuant to Section 3(2)(a) to (f) may also be operated as online games under the conditions laid down in this Act for the various types of gambling games, provided that this is not precluded by the nature of the operation of such gambling games by remote access via the internet.

(2) In the case of an online game, the gambling game participant plays against the operator's gaming system software or through it against a croupier, another player or a foreign player.

(3) The operator's gaming system software pursuant to paragraph (2)

- a) must not create a random process for the outcome of fixed-odds betting games, totalizator games and broadcast live games;
- b) may create a random process for the result of a

numerical lottery;

- c) must create a random process for the outcome of a game other than those pursuant to points (a) and (b).

(4) The operator of an online game may not offer or provide any device enabling participation in the online game, including through a third party.

(5) The operator is obliged to equip their gaming system software pursuant to paragraph (2) with technical and software security against unauthorised access, intervention, data input, data use, data alteration, data corruption, forgery or alteration of data to be considered true, or destruction of data.

#### Section 74

##### **Online game operation**

(1) Online games may be operated only through a website or application, which must be available at least in the Czech language.

(2) The online game server and equipment used to operate a numerical lottery as an online game must be located in the territory of a Member State of the European Union or a State party to the Agreement on the European Economic Area.

(3) For the purposes of the regulation of gambling games, an application means software different from a website allowing participation in a gambling game.

#### Section 75

##### **Information obligation for online games**

(1) On the website on which the online game is operated, the operator must, in a legible and

- a) always accessible manner, publish
1. identification and contact details of the operator;
  2. identification and contact details of an institution dealing with the prevention and treatment of problems related to pathological gambling;
  3. the basic permit and gaming plan for all gambling games operated by that operator;
  4. information on the possibility of registration in the register and a link to the Ministry's

website containing an application for registration in this register, which the Ministry publishes pursuant to Section 16d(2);

5. information on the possibility and method of using a means of preventing participation in gambling;
  6. information on the possibility of submitting an application for registration through the operator;
  7. the amount of the highest bet and the highest winnings, where permitted by the nature of the gambling game being operated; and
  8. centrally set rates for a given calendar day for conversion between all gaming currencies and the Czech crown and between all gaming currencies and the gaming currency in which self-exclusion measures can be set;
- b) always accessible manner for the gambling game participant, also publish
1. the offering and state of use of self-exclusion measures;
  2. the balance on the user account of the gambling game participant;
  3. the total amount of net losses since the activation of the user account; and
  4. the overall total net losses per calendar month;
- c) visible manner for the entire time the gambling game participant being logged in to the user account, publish an indicator of the duration of login to the user account;
- d) visible and comprehensible manner, for at least five seconds from the moment of every login, draw attention to the offering of and status of set self-exclusion measures; and
- e) visible manner when accessing this page, publish
1. information on the prohibition of participation in gambling for persons under the age of 18; and
  2. a warning that participation in gambling can be harmful.
- (2) The operator is obliged to publish the gaming currency in a legible and visible manner on the website on which the online game is operated.
- (3) The operator must, on the website on which the live game is operated, in a legible and visible manner,

- a) publish, throughout the participation of the participant in the live game, the studio from which the broadcast live game is operated,
1. the name of the operator of the casino in which the studio is located;
  2. the address and designation of the casino in which the studio is located; and
  3. the designation of the studio; and
- b) always accessible manner, publish the operating segments of all the studios it operates at least seven days prior to their commencement, indicating
1. the name of the operator of the casino in which the studio is located;
  2. the address and designation of the casino in which the studio is located;
  3. the designation of the studio;
  4. the date and time of commencement of the operating segment; and
  5. the date and time of the end of the operating segment.

(4) On the website on which a lottery operated as an online game the operator must publish, in an always accessible manner,

- a) the result of the draw, without delay after the draw has been made, until a period of one year has elapsed from the date of the draw in respect of a numerical lottery, a cash lottery or a non-cash lottery; and
- b) a recording of the broadcast of the draw, without delay after the draw has been made, until a period of one week after the draw has elapsed in respect of a numerical lottery for which the operator's gaming system software does not create a random process for the outcome of the game.

(5) The operator must publish the documents referred to in paragraph (1)(a)(3) for the duration of their validity and for three years from the last day of their validity. After the last day of validity of such a document, the operator is obliged to indicate in an appropriate manner that the document has expired.

(6) Paragraphs (1) to (5) shall apply *mutatis mutandis* to an application.

## Part 2 Online lotteries

### Section 76

#### **Recording of the draw**

(1) If the operator's gaming system software does not create a random process for the result of a numerical lottery game, the operator shall, without undue delay after the draw, publish a recording of that draw on the website or in the application through which the lottery is operated. The recording must not be slowed down and must be uninterrupted, in colour, clear, visible and distinguishable.

(2) The operator must keep a recording of the broadcast of the draw pursuant to paragraph (1) for at least three years.

### Section 77

#### **Participation in an online instant-win lottery**

(1) From when a bet is placed in an instant-win lottery game operated as an online game until its evaluation, the operator must not allow the participant to place a bet in another instant-win lottery game operated as an online game. An instant-win lottery game operated as an online game must not be evaluated by the operator earlier than two seconds after a bet has been placed in that game.

(2) The operator must not allow the player to place a bet in any instant-win lottery game operated as an online game if less than 15 minutes have elapsed since the last evaluation of the instant-win lottery game in a continuous betting sequence of at least 120 minutes.

(3) The continuous betting sequence pursuant to paragraph (2) means the gradual placing of bets in an instant-win lottery game in which the interval between the evaluation of the instant-win lottery game and the placing of a bet in a subsequent game is less than 15 minutes.

(4) The duration of the continuous betting sequence pursuant to paragraph (2) means the period from the placing of the first bet in that sequence to the evaluation of the last instant-win lottery in that sequence.

## Part 3 Online live game

## **Part 1**

### **General provisions**

#### Section 78

##### **Chips**

Funds representing a bet placed in a live game played as an online game with the exception of a card tournament and winnings from such a game shall be displayed by the operator in the form of chips showing at least the value of the chip.

#### Section 79

##### **Participation in an online live game**

The operator must not allow a gambling game participant to participate more than once simultaneously in one instance of a live game in which bettors play against each other, operated as an online game.

## **Part 2**

### **Broadcast live game**

#### Section 80

##### **Definition of a broadcast live game**

A broadcast live game means a live game operated as an online game in which bettors do not play against each other or against foreign participants in the gambling game.

#### Section 81

##### **Obligations of the operator**

(1) A broadcast live game can only be operated from a studio.

(2) The operator of the broadcast live game must not allow a foreign player to place a bet in the broadcast live game.

(3) The operator of the broadcast live game may not make the broadcast available otherwise than after logging into the user account.

(4) The operator of the broadcast live game must keep, for a period of two years, a complete recording of the broadcast in the form shown to the participant of the gambling game and in the form of an unedited recording made by the camera.

(5) The operator of the broadcast live game must

keep a record of all broadcasts of the broadcast live game, in which the operator shall indicate for each broadcast

- a) the designation of the studio pursuant to Section 68c(6)(a) from which the broadcast takes place;
- b) the designation and address of the casino in which the studio pursuant to point (a) is located;
- c) the layout of the studio, indicating the live game playing tables that are located in the studio;
- d) the date and time of commencement of the operating segment in which it takes place; and
- e) the date and time of the end of the operating segment in which it takes place.

(6) The operator of the broadcast live game must keep the records pursuant to paragraph (5) for a period of three years from the end of the operating segment.

#### Section 82

##### **Broadcast requirements**

(1) A broadcast live game must be broadcast in real time to all bettors.

(2) During the broadcast, the digits, inscriptions and other symbols on the roulette wheel and on the live game playing table, the values of cards, dice or other aids used in the game and the dealer must be shown in a visible manner.

(3) If the broadcast is carried out using multiple cameras, the operator is obliged to allow the player to choose a shot from any of them at any time.

(4) The operator is obliged to ensure that the dealer communicates with the player in real time. Communication must take place in the Czech language if all gambling game participants to whom the communication is addressed do not agree with communication in another language.

#### Section 83

##### **Live game playing table**

(1) The operator of the broadcast live game is obliged to assign to a live game table that is located in the studio and used for the broadcast live game, a live game playing table registration number and to indicate it visibly thereon.

(2) The device by which the random outcome process for the broadcast live game is created must be an integrated part of the live game playing table.

## Section 84

**Participation in a broadcast live game**

(1) The operator must not allow a gambling game participant to participate in a broadcast live game at multiple live game playing tables at the same time.

(2) The operator must not allow a player to place a bet in any broadcast live game if less than 15 minutes have elapsed since the last evaluation of the broadcast game in a continuous betting sequence of at least 120 minutes.

(3) A gambling game participant may place a bet in an ongoing gambling game if the prohibition under paragraph (2) would make it impossible to complete the commenced gambling game.

(4) The continuous betting sequence pursuant to paragraph (2) means the gradual placing of bets in a broadcast live game in which the interval between the evaluation of the broadcast live game and the placing of a bet in a subsequent game is less than 15 minutes. One continuous betting sequence includes all instances of a live game broadcast by the given operator.

(5) The duration of the continuous betting sequence pursuant to paragraph (3) means the period from the placing of the first bet in that sequence to the evaluation of the last live game in that sequence.

## Chapter II

## Unauthorised online games

## Section 84a

**Blocking unauthorised online games**

(1) The provider of an internet access service pursuant to the Act governing electronic communications (hereinafter an 'internet access service provider') is obliged to prevent access to a website on the list of unauthorised online games.

(2) The Ministry will place a website on the list of unauthorised online games on the grounds that

- a) it is being used to operate a prohibited online game, or
- b) its essential purpose is to cause, make possible, facilitate, or conceal a violation of the prohibition

to operate a prohibited online game.

(3) An internet access service provider must fulfil the obligation pursuant to paragraph (1)

- a) no later than the 15th day following the date of the website is placed on the list of unauthorised online games, and
- b) no later than the 15th day from the date the website is deleted from the list of unauthorised online games.

## Section 84b

**Blocking payments for unauthorised online games**

(1) A payment service provider must not carry out payment transactions for the credit or debit of a payment account on the list of unauthorised online games.

(2) The Ministry will place a payment account on the list of unauthorised online games on the grounds that it is used to operate a prohibited online game.

(3) A payment service provider must fulfil the prohibition pursuant to paragraph (1)

- a) no later than the 15th day following the date the unique payment account identifier is published on the list of unauthorised online games,
- b) no later than the 15th day from the date the unique payment account identifier is deleted from the list of unauthorised online games.

## Section 84c

**Blocking applications for unauthorised online games**

(1) The operator of a website or electronic interface must not disseminate an application whose identifier is included in the list of unauthorised online games.

(2) The Ministry will place an application on the list of unauthorised online games on the grounds that

- a) it is being used to operate a prohibited online game, or
- b) its essential purpose is to cause, make possible, facilitate, or conceal a violation of the prohibition to operate a prohibited online game.

(3) The operator of a website or electronic interface must fulfil the prohibition pursuant to

paragraph (1)

- a) no later than the 15th day following the date the application identifier is published on the list of unauthorised online games;
- b) no later than the 15th day from the date the application identifier is deleted from the list of unauthorised online games.

(4) For the purposes of gambling legislation, an application identifier means the checksum of the application's executable file, the unique indication used within the electronic interface, or any other unique indication by which the application can be automatically identified.

(5) For the purpose of gambling legislation, an electronic interface means an electronic marketplace, platform, portal or similar means intended to disseminate applications.

#### Section 84d

##### **The list of unauthorised online games**

(1) The list of unauthorised online games is maintained by the Ministry. The list of unauthorised online games is a public list in the part comprising information pursuant to paragraph (2)(a) to (d). The list of unauthorised online games is a non-public list in the part comprising information pursuant to paragraph (2)(e).

(2) The list of unauthorised online games contains

- a) the date of entry on this list;
- b) the reason for entry on this list;
- c) in the case of
  1. a website, its address;
  2. a payment account, its unique identifier; or
  3. an application, its identifier and name;
- d) the date of deletion from this list; and
- e) information collected in connection with keeping the list of unauthorised online games.

(3) The Ministry shall delete a website, payment account or application from the list of unauthorised online games if it becomes aware that the reasons for their inclusion on the list no longer exist.

(4) The list of unauthorised online games shall also include changes to the particulars referred to in paragraph (2) indicating the date on which they occurred.

(5) The Ministry publishes on its website, in machine-readable form, up-to-date data from the part of the list of unauthorised online games that is a public list.

#### Section 84e

##### **Inclusion on the list of unauthorised online games**

(1) The Ministry shall publish on its official board and at the same time on its website a notice that it intends to include the website on the list of unauthorised online games. At the same time, the Ministry shall attempt to inform the operator of the website in an appropriate manner if its registered office, email address or other electronic address are known.

(2) The communication shall contain the information pursuant to Section 84d(2)(b) and (c).

(3) The Ministry shall include a website on the list of unauthorised online games if the objection submission deadline has passed and all objections submitted in due time are settled.

(4) Paragraphs (1) to (3) shall apply mutatis mutandis to the inclusion of a payment account on the list of unauthorised online games and to the inclusion of an application on this list.

#### Section 84f

##### **Objection to inclusion on the list of unauthorised online games**

(1) The operator of a website may submit an objection to the inclusion of the website in the list of unauthorised online games to the Ministry. The Ministry must receive the objection within 15 days from the date the notice is posted on the official board, unless the Ministry specifies a longer deadline in the notice, otherwise it will be ignored.

(2) The Ministry shall assess the objection and, if fully accepted, shall not include the website on the list of unauthorised online games. If it accepts the objection in part, it shall amend the particulars to be entered on this list or shall take other corrective action. The Ministry shall inform the operator of the website that lodged the objection how the objection has been dealt with a brief statement of reasons.

(3) Notice of the handling of the objection shall be delivered to the operator of the website that lodged the objection by means of a data mailbox. If the website operator does not have access to a data mailbox, the document shall be served by a public notice; if their residence or registered office is known,

a letter shall also be sent to their attention.

(4) Paragraphs (1) to (3) shall apply mutatis mutandis to the inclusion of a payment account on the list of unauthorised online games in relation to its owner and to the inclusion of an application on this list in relation to its owner.

#### Section 84g

##### **Correction of information in the list of unauthorised online games**

(1) If the Ministry becomes aware that information in the list of unauthorised online games is incomplete or incorrect, it shall publish a notice on the official board and at the same time on its website that it intends to correct this information.

(2) The provisions on inclusion on the list of unauthorised online games shall apply mutatis mutandis to the correction of information in the list.

#### Section 84h

##### **Relationship to the Administrative Code**

The inclusion, modification and deletion of information in the list of unauthorised online games shall be acts pursuant to Segment Four of the Administrative Code.'

101. In Segment Five, Chapter I, including the heading, reads as follows:

'Chapter I

Permit proceedings

Part 1

General provisions

#### Section 85

##### **Permits**

(1) An operator operating a gambling game pursuant to Section 3(2)(a) to (f) is obliged to have, before the start of the operation of that gambling game,

- a) an initial permit;
- b) a basic permit for this gambling game.

(2) An operator operating a gambling game pursuant to Section 3(2)(a) to (f) is obliged to have, before the start of the operation of this gambling game in gaming premises, a permit to situate these gaming

premises. This does not apply to the operation of a broadcast live game.

(3) An initial permit, a basic permit and a permit for the situation of gaming premises (hereinafter a 'permit pursuant to this Act') cannot be transferred and does not pass to a legal successor.

(4) A permit pursuant to this Act shall be issued only on the basis of an application for a permit, unless it involves replacement by a new permit.

#### Section 86

##### **Notification of changes in facts**

(1) The operator is obliged to notify the Ministry without undue delay of any changes in the facts on the basis of which the initial permit and the basic permit are issued and to submit proof in this regard within 30 days of the date on which the change occurred.

(2) The operator is obliged to notify the municipal authority without undue delay of any changes in the facts on the basis of which a permit for the situation of gaming premises was issued and to submit proof in this regard within 30 days of the date on which the change occurred.

(3) The operator's reporting obligation does not apply to information

- a) that is at the disposal of the Ministry or the municipal authority, or
- b) the change of which the Ministry or the municipal authority can ascertain in an automated manner from the registers and records to which it has established automated access.

(4) The scope of data referred to in paragraph (3) shall be published by the Ministry and the municipal authority on their websites.

(5) Section 89(6) shall apply mutatis mutandis to proof of good repute and debt-free status submitted pursuant to paragraph (1). The age of the document shall be assessed in relation to the date of its submission.

#### Section 87

##### **Obligation to submit documents**

(1) The operator is obliged to submit to the Ministry audited financial statements within six months of the last day of the accounting period, unless it is published in a public register within that time.

(2) If, for the duration of the legal effects of the basic permit, the professional assessment document or the operability certificate on the basis of which the basic permit was issued or that the operator has submitted pursuant to this paragraph expires, the operator shall submit to the Ministry a new professional assessment document or a new operability certificate no later than 30 days before their expiry date.

(3) If, for the duration of the legal effects of a permit for situation of gaming premises, the validity of the certificate of operability on the basis of which the licence for the location of the game was issued or which the operator has submitted pursuant to this paragraph expires, the operator shall submit to the municipal authority a new operability certificate no later than 30 days before their expiry date.

#### Section 88

#### **Invitation to prove compliance with the conditions for issuing a permit**

(1) For the duration of the legal effects of the initial permit and the basic permit, the operator is obliged, upon request of the Ministry, to demonstrate compliance with the conditions for issuing such permits, to the extent specified in this request.

(2) For the duration of the legal effects of the permit to situate gaming premises, the operator is obliged, on the basis of a request from the municipal authority, to demonstrate compliance with the conditions for issuing this permit, to the extent specified in this request.

#### Part 2

#### Initial permit

#### Section 89

#### **Issue of an initial permit**

(1) An initial permit is a decision establishing eligibility for a basic permit.

(2) The condition for issuing an initial permit is

- a) general eligibility for the operation of gambling games pursuant to Section 6(1);
- b) integrity;
- c) debt-free status;
- d) payment of a deposit; and

e) the fact that the operator is not in liquidation or has not with finality been declared bankrupt pursuant to the act governing bankruptcy and methods of its resolution or similar foreign legislation

1. in the last 3 years prior to the date of issue of this permit, or
2. for the duration of the legal effects of this permit.

(3) The conditions pursuant to paragraph 2(b) and (c) must be complied with by

- a) the operator;
- b) a member of the statutory body of the operator and, if that member is a corporate entity, the natural person representing it in that body must also be debt-free and have integrity;
- c) a member of the supervisory board, board of directors or other similar supervisory body of the operator and, if that member is a corporate entity, the natural person representing it in that body must also be debt-free and have integrity;
- d) the authorised agent of the operator; and
- e) the operator's beneficial owner.

(4) The conditions for issuing an initial permit must be fulfilled throughout the duration of this permit.

(5) The application for an initial permit includes

- a) a list of persons who are
  1. members of the statutory body of the operator;
  2. members of the supervisory board, management board or other similar supervisory body of the operator;
  3. authorised agents of the operator;
  4. the beneficial owners of the operator;
- b) the identification details of all persons pursuant to paragraph (3), indicating all their countries of origin;
- c) proof of the debt-free status and integrity of all persons pursuant to paragraph (3); this does not apply to a person whose integrity can be ascertained by the Ministry in an automated manner from registers and records to which it has established automated access, provided that the Ministry publishes this fact on its website;
- d) proofs of the debt-free status and integrity of a person in a foreign State or affidavits concerning the debt-free status and integrity for all persons

pursuant to paragraph (3), who under this Act must be free of debt and have integrity also in relation to a foreign State;

- e) financial statements audited by an auditor in accordance with the Act on Auditors; and
- f) a document demonstrating compliance with the condition pursuant to paragraph (2)(a), (d) and (e).

(6) The document pursuant to paragraph (5) must not be older, on the date of submission of the application, than

- a) 30 days in the case of a document pursuant to paragraph (5)(c);
- b) three months in the case of a document pursuant to paragraph (5)
  - 1. (a), (b) or (d);
  - 2. (f) demonstrating compliance with the condition pursuant to paragraph (2)(a);
- c) 12 days in the case of a document pursuant to paragraph (5)(e).

#### Section 90

##### **Decision on an application for an initial permit**

The Ministry shall issue the applicant an initial permit if the conditions for issuing it are met. Otherwise, it shall reject the application for this permit.

#### Section 91

##### **Integrity**

(1) For the purposes of this Act, a person who has not been convicted by a final judgement of an intentional criminal offence, an economic offence or a criminal offence against property, unless he or she is looked upon as if he or she has not been convicted, shall be deemed to have integrity for the purposes of this Act.

(2) As proof of integrity, the Ministry will request an extract from the Criminal Records Register. The request for an extract from the Criminal Records Register and the extract from the Criminal Records Register shall be transmitted in electronic form in a manner allowing remote access.

(3) The integrity of a foreign national shall, in addition to the extract from the Criminal Records Register pursuant to paragraph (2), be proven by a

similar document issued by their country of origin. Where the country of origin is a Member State of the European Union or the United Kingdom of Great Britain and Northern Ireland, an extract from the Criminal Register with an annex containing information on its final criminal convictions and the subsequent information on such convictions entered in the register of that State shall be sufficient to prove their integrity. If the person has more than one country of origin, proof of integrity is provided for each of them.

(4) If a foreign State does not issue a document pursuant to paragraph (3), proof of integrity in the foreign State shall be provided by an affidavit of the person concerned regarding integrity and of the fact that State does not issue the document pursuant to paragraph (3) made before a notary or an authority of that State. The person concerned may not make an affidavit on behalf of the person concerned unless it is represented by a guardian, legal representative, statutory body or natural person acting as a statutory body on behalf of the legal person; such representatives shall not make an affidavit on behalf of them. If the affidavit is not made in person, it shall also indicate the relationship of the person making the affidavit to the person concerned.

(5) If the documents regarding integrity pursuant to paragraph (3) or the affidavit pursuant to paragraph (4) are in a language other than the language of the proceedings pursuant to the Administrative Code, they shall be submitted in the original and translated into Czech. In cases of doubt as to the correctness of the translation, the Ministry may request a certified translation.

#### Section 92

##### **Debt-free status**

(1) For the purposes of this Act, a person is considered debt-free if they have no arrears on record

- a) with the authorities of the Financial Administration of the Czech Republic and the authorities of the Customs Administration of the Czech Republic, with the exception of arrears for which deferred payment or their payment in instalments have been permitted;
- b) for public health insurance premiums and penalties; and
- c) for insurance premiums and penalties for social security and State employment policy

contributions, with the exception of arrears for payment in instalments has been permitted, and they are not late in paying the instalments;

- d) for cash transactions similar to those pursuant to points (a) to (c) in any country of origin.

(2) The debt-free status pursuant to paragraph (1)(d) shall be proven by means of a document issued by an authority of a foreign State similar to a certificate of debt-free status.

(3) If the foreign State does not issue a document pursuant to paragraph (2), debt-free status pursuant to paragraph 1(d) shall be proved by an affidavit of the person concerned that he is debt-free and that this State does not issue a document pursuant to paragraph (2), made before a notary or an authority of this State. The person concerned may not make an affidavit on behalf of the person concerned unless it is represented by a guardian, legal representative, statutory body or natural person acting as a statutory body on behalf of the legal person; such representatives shall not make an affidavit on behalf of them. If the affidavit is not made in person, it shall also indicate the relationship of the person making the affidavit to the person concerned.

(4) If the proof of debt-free status pursuant to paragraph (2) or the affidavit pursuant to paragraph (3) is in a language other than the language of the proceedings pursuant to the Administrative Code, it shall be submitted in the original and translated into Czech. In cases of doubt as to the correctness of the translation, the Ministry may request a certified translation.

### Section 93

#### Security deposit

(1) The operator must provide a security deposit

- a) by depositing funds into a special account of the Ministry, or  
b) through a bank guarantee accepted by the Ministry.

(2) The security deposit must be provided for the entire duration of the legal effects of the initial permit so that its total amount corresponds to the deposit group in which the operator is classified. For the purposes of determining the total amount of the security deposit provided under this Act, a bank

guarantee shall not be taken into account if less than 18 months remain until it expires.

(3) If the operator moves to a higher deposit group, the operator must provide a deposit in the amount pursuant to the new deposit group within 60 days from the date of transition.

(4) The Ministry shall accept only a bank guarantee or an addendum thereto that

- a) are provided to secure arrears registered on the 90th day from the date of cancellation or termination of the initial permit or transfer to a lower deposit group to
1. the Ministry or
  2. another tax administrator that has requested its payment from the Ministry;
- b) do not allow of objections by the issuer of the bank guarantee;
- c) do not make performance conditional upon the submission of a specific document;
- d) are governed by Czech law;
- e) are provided
1. by a bank;
  2. by a savings and credit cooperative;
  3. by a foreign bank established in another Member State of the European Union or in a State party to the Agreement on the European Economic Area; or
  4. by a foreign bank established in a Member State of the European Union or in a State party to the Agreement on the European Economic Area if it carries out its activities in the territory of a Member State of the European Union or a State party to the Agreement on the European Economic Area through its branch;
- f) are provided for a period that may not be less than three years from the date on which the Ministry of received the deed of guarantee or its addendum;
- g) arise from a statement of the issuer in the deed of guarantee or an addendum thereto that are in paper form; and
- h) include an undertaking by the issuer that the bank guarantee will be fulfilled no later than 15 days after the delivery of the first call.
- (5) The provisions of the Tax Code shall apply

mutatis mutandis to the administration of security deposit payment.

#### Section 94

##### **Change in the way a security deposit is provided**

(1) If the operator proposes to change the way the deposit is provided from the composition of the bank guarantee, if the Ministry accepts this bank guarantee and if, on the basis of this procedure, the total amount of the deposit provided would not be less than the deposit for the deposit group in which the operator is classified, the deposited funds, except for funds that are subject to the procedure under Section 96, shall become, to the appropriate extent, a refundable overpayment returned by the Ministry at the request of the operator within 30 days of the date of submission of the application to the Ministry or from the date of receipt of the bank guarantee by the Ministry, whichever is the later.

(2) If the operator proposes a change in the method of providing a deposit from a bank guarantee provided by a deposit or part thereof, with the exception of a bank guarantee that is subject to the procedure under Section 96, if the Ministry accepts the new bank guarantee or addendum thereto or the operator deposits funds,

and if, on the basis of this procedure, the total amount of the deposit provided would not be less than the deposit for the deposit group in which the operator is classified, the Ministry shall return the deed of guarantee, including any addenda thereto, or issue a declaration of waiver from the bank guarantee, at the request of the operator, within 30 days of the date on which the application was received or the date on which the funds were deposited, or from the date on which the Ministry accepted the bank guarantee provided by the deposit, whichever is the later.

#### Section 95

##### **Deposit amount**

(1) The operator shall provide a deposit in the amount according to the deposit group in which it is classified. The operator is classified in deposit group 1 if it has not moved to another deposit group.

(2) For the purposes of this Act, the decisive tax means gambling tax that is the last known tax on the last day of the gambling tax period immediately following the gambling tax period in which that tax arose.

(3) The amount of the deposit and the decisive tax for individual deposit groups is as follows:

deposit group	deposit amount	decisive tax	
		at least	less than
1	20,000,000 CZK	0	5,000,000 CZK
2	70,000,000 CZK	5,000,000 CZK	50,000,000 CZK
3	150,000,000 CZK	50,000,000 CZK	200,000,000 CZK
4	300,000,000 CZK	200,000,000 CZK	

(4) The operator shall move to another deposit group on the first day of the calendar quarter immediately following the calendar quarter in which the condition for this move is met.

(5) The condition for moving to a higher deposit group shall be that the decisive tax corresponds to the amount of the decisive tax for this deposit group pursuant to paragraph (3).

(6) The condition for moving to a lower deposit group shall be that all decisive taxes accrued in the second to fifth tax period of the gambling tax immediately preceding the calendar quarter in

question correspond to the amount of the decisive tax for that or lower deposit group pursuant to paragraph (3).

#### Section 96

##### **Use of the deposit**

(1) In the event of the final and effective revocation of the initial permit, its expiry, or a move to a lower deposit group, the deposited funds shall, to the appropriate extent, become the operator's overpayment. This overpayment shall become refundable at earliest on the 90th day from the date of

its inception. The Ministry shall return the refundable overpayment at the request of the operator within 60 days from the date it receives the request for refund of the refundable overpayment.

(2) In the event of the final and effective revocation of the initial permit, its lapse or a move to a lower deposit group, the Ministry shall, to the extent applicable, invite the bank guarantee issuer to pay the arrears on record on the 90th day from the date of revocation of the initial permit, the date of its expiry, or the date of the move to the lower deposit group to the Ministry or to another tax administrator who has requested their payment from the Ministry. The Ministry shall invite the issuer of the bank guarantee to pay the arrears at earliest after 90 days and at latest 6 months from the date of revocation of the initial authorisation, the date of its expiry, or the date of the move to the lower deposit group. This also applies to a bank guarantee that is not taken into account for the purpose of determining the total amount of the deposit provided. The issuer may ask for a review of the request to the issuer of the bank guarantee; a review request submitted in time has a suspensive effect and the deadline pursuant to the second sentence shall not apply in proceedings on this review.

(3) The overpayment pursuant to paragraph (1) shall not be a refundable overpayment while proceedings are conducted

- a) by the gambling tax administration;
  1. that may result in a decision stipulating gambling tax;
  2. that was commenced within 30 days from the date of submission of the request for reimbursement of the refundable overpayment; and
  3. the initiation of which the tax administration reports to the Ministry in time; the tax administration is obliged to notify the Ministry of termination of such proceedings;
- b) by an authority executing state administration in the field of the operation of gambling games
  1. that may result in a decision imposing a fine under this Act;
  2. that was commenced within 30 days from the date of submission of the request for reimbursement of the refundable overpayment; and

3. the initiation of which shall be reported on time to the Ministry by a state authority in the field of the operation of gambling games; the authority executing state administration in the field of the operation of gambling games is obliged to notify the Ministry of the conclusion of such proceedings.

(4) In order to remove the harshness of the legislation, the Ministry may, at the request of the operator, decide that paragraph (3) shall not apply to the part of the overpayment pursuant to paragraph (1) that will evidently not be used to pay gambling tax arrears, a fine imposed for an infraction under this Act, or any other payment imposed pursuant to this Act or to its accessories.

(5) The issuer of the bank guarantee must pay the amount within 15 days of the request coming into legal force. The bank guarantee issuer is obliged to notify the Ministry of payment of this amount without undue delay.

(6) Arrears on gambling tax, on a fine imposed for an infraction under this Act, on other payments imposed pursuant to this Act or their accessories shall be paid as a matter of priority from the deposit.

(7) In the event that the deposit has been provided in several ways, the Ministry shall, on the date of revocation of the initial permit, the date of its expiry, or the date of the move to a lower deposit group, specify in which order the different methods of providing a deposit are to be used.

(8) The Ministry shall not comply with the request of the tax administrator for the payment of arrears if this could jeopardise the fulfilment of the obligation to return the refundable overpayment within the period for its refund or jeopardise the payment of the arrears from the bank guarantee and if this request is made to the Ministry after

- a) the eleventh working day prior to the date on which the period laid down for the refund of the refundable overpayment expires, if the deposit is provided by payment of funds; or
- b) the one hundred and nineteenth day from the date of the final and effective withdrawal of the initial permit, the date of its expiry, or the date of the move to a lower deposit group, if the deposit is provided by a bank guarantee.

### **Cancellation of an initial permit**

(1) If the Ministry finds that the operator no longer fulfils the conditions laid down for issuing the initial permit, if the nature of those conditions permits such compliance and there is no risk of delay, it shall ask the operator to comply with them and to prove that they are fulfilled.

(2) If the Ministry has doubts as to whether the operator fulfils the conditions laid down for issuing the initial permit, it shall ask the operator to eliminate these doubts and prove that the conditions are fulfilled.

(3) The Ministry shall cancel an initial permit *ex officio*

- a) if the operator fails to ensure, on the basis of a request pursuant to paragraph (1), the conditions laid down for the issue of this permit;
- b) if doubts have not been eliminated on the basis of a request pursuant to paragraph (2);
- c) if the operator fails to demonstrate, on the basis of a request pursuant to paragraph (1) or (2), that the conditions laid down for this permit have been fulfilled;
- d) if additional information becomes known due to which this permit would not have been issued to the operator;
- e) if the operator ceases to fulfil the conditions laid down in this Act for this permit and if it is impossible to proceed pursuant to paragraph (1).

(4) The Ministry shall cancel the initial permit at the request of the operator.

#### Section 98

### **Expiry of an initial permit**

An initial permit to operate a gambling game expires upon the dissolution or winding-up of the operator.

#### Part 3

#### Basic permit

#### Section 99

### **Application for a basic permit without an initial permit**

The operator may also submit an application for a basic permit prior to the legal effects of the initial permit.

#### Section 100

### **Issue of a basic permit**

(1) A basic permit is a decision granting permission to operate a given type of gambling game.

(2) The Ministry shall issue a basic permit

- a) if the operator has an initial permit;
- b) if the operation of the gambling game will not disturb public order;
- c) if the proper operation of the gambling game is guaranteed and proper equipment is provided;
- d) if the operator has the material, personnel and organisational prerequisites necessary for the performance of the activity to the extent that it intends to operate gambling games; and
- e) if, in the last 3 years prior to the date of submission of the application for the basic permit, a basic permit for the given type of gambling has not been cancelled pursuant to Section 103(3)(e).

(3) In the basic permit, the Ministry shall stipulate the gambling game for which the permit is issued, its type and conditions of operation, and approve the gaming plan and the equipment through which the gambling game is to be operated.

(4) In the case of an application for a basic permit for a shared lottery, each operator shall submit an application separately.

(5) A basic permit is issued for at most six years.

#### Section 101

### **Details of the application for a basic permit**

(1) In addition to the general requirements of an application under the Administrative Code, the application for a basic permit must contain the requested type of gambling game.

(2) An application for a basic permit includes

- a) the gaming plan in electronic form as a dataset with a text layer allowing search;
- b) an expert assessment document and certificate of operability in electronic form as a dataset with a text layer allowing search containing
  1. their original, or

2. a document that was created by converting their original into an electronic document contained in that dataset in a manner ensuring conformity of the content of the original with that document, if the original is in paper form;
- c) a document on the location of the server, in the case of a type of gambling where there is no randomness created at the place of participation in the gambling game; and
- d) a document proving compliance with the condition pursuant to Section 100(2)(d).

(3) In the case of an application for a cash, non-cash or instant-win lottery, the applicant must also attach a model ticket, which must be marked as such, and documentation demonstrating their security against misuse or their manufacturing specifications.

(4) In the case of an application for fixed-odds betting or a totalizator game, the applicant is obliged to include a list of places where participation in the odds or totalizator game will be allowed, and a contract concluded with the person who will monitor influence on sporting results.

(5) The document pursuant to paragraph (2) (a), (c) and (d) must not be older than three months on the date of submission of the application.

### Section 102

#### **Change of a basic permit**

(1) The Ministry shall replace an existing basic permit with a new one if

- a) the operator submits an application in which he proposes changes to information whose change
  1. can occur only on the basis of a change in the basic permit;
  2. occurred during an urgent intervention pursuant to Section 109b; or
  3. occurred pursuant to Section 109c(5);
- b) there is a change in other information specified in the basic permit; or
- c) through it, it shall, in justified cases, amend or supplement the conditions for the proper

operation of gambling games laid down in the existing basic permit.

(2) A new basic permit pursuant to paragraph (1) shall be issued for at longest the duration of the legal effects of the initial basic permit.

(3) In the justification for a new permit, only changes relative to the existing permit are justified.

### Section 103

#### **Cancellation of a basic permit**

(1) If the Ministry finds that the operator no longer fulfils the conditions laid down for the issue of the basic permit, it shall require the operator to comply within the prescribed period, provided that the nature of those conditions permits such fulfilment and there is no risk of delay.

(2) If the Ministry has doubts as to whether the operator fulfils the conditions laid down for issuing the basic permit, it shall ask the operator to eliminate these doubts and prove that the conditions are fulfilled.

(3) The Ministry shall cancel a basic permit *ex officio*

- a) if the operator fails to ensure, on the basis of a request pursuant to paragraph (1), the conditions laid down for the issue of this permit;
- b) if doubts have not been eliminated on the basis of a request pursuant to paragraph (2);
- c) if the operator fails to demonstrate, on the basis of a request pursuant to paragraph (1) or (2), that the conditions laid down for this permit have been fulfilled;
- d) if additional information becomes known due to which this permit would not have been issued to the operator;
- e) if the operator repeatedly or in a serious manner violates the obligations laid down
  1. by this Act;
  2. by the act governing the gambling tax; or
  3. by the basic permit; or
- f) if the operator ceases to fulfil the conditions laid down in this Act for this permit and if it is impossible to proceed pursuant to paragraph (1).

(4) The Ministry shall cancel the basic permit at the request of the operator.

## Section 104

**Expiry of a basic permit**

A basic permit expires

- a) at the end of the period for which it was granted;
- b) upon the dissolution or winding-up of the operator to whom the basic permit was granted; or
- c) upon the cancellation or expiry of the initial permit.

## Section 104a

**Obligations of the operator after the cancellation or expiry of authorisation to operate a gambling game**

(1) The operator has rights and obligations relating to activities necessary for the termination and settlement of a gambling game, recording obligations, registration obligations and other obligations to keep documents under this Act for the period specified by this Act, even if the authorisation under this Act is cancelled or expires or it ceases to be an operator.

(2) If a corporate entity that has the rights and obligations pursuant to paragraph (1) and that has a legal successor is wound up, those rights and obligations shall be transferred to that successor. This legal successor must notify the Ministry within 30 days of the date on which these rights and obligations were transferred to him.

(3) If a corporate entity with a recording obligation, registration obligation or other obligation to keep documents or records pursuant to this Act is wound up without a legal successor, it shall be obliged to transmit the documents, other documents and records that are the subject of these obligations to the Ministry.

## Part 4

A permit to situate gaming premises

## Section 104b

**Issue of a permit to situate gaming premises**

(1) A permit to situate gaming premises is a decision following the basic permit granting authorisation to situate gaming premises and operate the relevant gambling games in them.

(2) The permit to situate gaming premises is issued by delegated authority by the municipal

office of the municipality in whose territorial area these gaming premises are located.

## Section 104c

**Decision on an application for a permit to situate gaming premises**

(1) The municipal office shall issue a permit for the situation of gaming premises

- a) if the applicant has a basic permit to operate the given type of gambling game;
- b) if situation of the gaming premises is not contrary to this Act and municipal by-laws; and
- c) if, in the last 3 years prior to the date of submission of the application for a permit to situate gaming premises, the applicant has not had a permit cancelled to situate gaming premises of the same type at that location pursuant to Section 104f(3) (d).

(2) In the permit to situate gaming premises, the municipal office shall authorise the situation of the gaming premises or casino, the operation of the relevant gambling games, the operating hours of the gaming premises, the number and type of live game tables, indicating their registration number, the number of devices generating the random bingo outcome process, indicating their serial number and the number of terminal devices through which the gambling game will be operated, including specification of their type, serial number and exact number of gaming positions.

(3) A permit to situate gaming premises is issued for the duration of the legal effects of the basic permit to operate a given type of gambling game, but for no more than three years.

## Section 104d

**Details of an application for a permit to situate gaming premises**

(1) In an application for a permit to situate gaming premises, in addition to the general requirements of the application under the Administrative Code, the applicant must specify

- a) the type, address and operating hours of the gaming premises;
- b) the type of gambling game to be operated in the gaming premises;
- c) the type, serial number and number of gaming positions of the terminal equipment through which

the gambling game will be operated;

- d) the number and type of live game tables, indicating their registration number;
- e) the number of devices generating the random bingo result process, indicating their serial numbers.

(2) An application for a permit to situate gaming premises includes

- a) a basic permit to operate the given type of gambling game;
- b) an operability certificate for every device through which the gambling game is operated;
- c) proof of the legal grounds for the use of the premises in which the gambling game is to be operated; this does not apply if the legal grounds are ascertainable from the public administration information system or part thereof, which is a public record, register or list; and
- d) the layout of the gaming premises identifying
  1. all entrances to the gaming premises, windows and display windows;
  2. the proposed use of individual rooms and areas in the gaming premises;
  3. proposed zones for the operation of technical games, live games and bingo, depending on what gambling games are to be operated in the gaming premises.

(3) The document pursuant to paragraph (2) (c) may not be older than 3 months on the date of submission of the application.

#### Section 104e

##### **Change to a permit to situate gaming premises**

(1) The municipal office shall replace an existing permit for the situation of gaming premises with a new one if

- a) the operator submits an application proposing a change to information, whose change may occur only on the basis of a change in the permit to situate gaming premises, or
- b) other information in the permit to situate gaming premises has changed.

(2) A new permit to situate gaming premises pursuant to paragraph (1) shall be issued for at

longest the duration of the legal effects of the original permit to situate gaming premises.

(3) The municipal office shall replace an existing permit to situate gaming premises with a new one only if the conditions for issuing a permit to situate gaming premises are still fulfilled.

(4) In the justification for a new permit, only changes relative to the existing permit are justified.

#### Section 104f

##### **Cancellation of a permit to situate gaming premises**

(1) If the municipal office finds that the conditions laid down for the issue of a permit to situate gaming premises are not fulfilled, it shall invite the operator to comply with them within the time limit it has set, provided that the nature of those conditions permits such fulfilment and there is no risk of delay.

(2) If the municipal office has doubts as to whether the operator fulfils the conditions laid down for a permit to situate gaming premises, it shall invite the operator to eliminate these doubts and provide proof of compliance with the conditions.

(3) The municipal office shall cancel a permit for the situation of gaming premises ex officio

- a) if the operator fails to ensure, on the basis of a request pursuant to paragraph (1), the conditions laid down for the issue of this permit;
- b) if doubts have not been eliminated on the basis of a request pursuant to paragraph (2);
- c) if the operator fails to demonstrate, on the basis of a request pursuant to paragraph (1) or (2), that the conditions laid down for this permit have been fulfilled;
- d) if the operator repeatedly or in a serious manner violates the obligations laid down
  1. by this Act or
  2. a basic permit to operate the given type of gambling game or
- e) if the operator ceases to fulfil the conditions laid down in this Act for this permit and if it is impossible to proceed pursuant to paragraph (1).

(4) The municipal office shall cancel a permit for the situation of gaming premises upon the operator's request.

## Section 104g

**Expiry of a permit to situate gaming premises**

A permit to situate gaming premises expires

- a) upon the expiry of the period for which it was granted, or
- b) upon the cancellation of expiry of the basic permit to operate a given type of gambling game.'

102. In Section 105(a), the amount 'CZK 100,000' is replaced by the amount 'CZK 200,000'.

103. In Section 108a(3), the words 'for the Pilsen Region' are replaced by 'in Pilsen'.

104. Section 108b(1) reads as follows:

'(1) Reporting must show a clear chronological overview of game and financial data to the extent specified in the Decree.'

105. Section 108b(2) and (3) are deleted.

Paragraph (4) becomes paragraph (2).

106. Section 108c(1) and (2) read as follows:

'(1) The operator shall provide reporting by means of secure remote access to its server, in the form of an automated output within a specified range, format and structure over the reporting period of the duration specified in the Decree, which shall not be less than one hour.

(2) Automated output shall be provided within the time limit laid down in the decree, which shall not be less than one hour.'

107. In Section 108c(5), the words 'for the Pilsen Region' are replaced by 'in Pilsen'.

108. The following Section 108d(3) is added:

'(3) The authority exercising state administration in the field of the operation of gambling games may, by decision, impose an obligation on the operator to correct a reporting error.'

109. In the introductory part of Section 108e(1), the words ', the natural person acting for the operator' are inserted after the word 'operator' and the words 'pursuant to Section 16' are deleted.

110. In Section 108e(1)(a) and (b), the words 'pursuant to Section 16' are deleted.

111. In Section 108e(5)(c), the words ', the natural person working for it' shall be inserted after the words 'operator' and the words 'pursuant to Section 16' are deleted.

112. In the introductory part of Section 108f(1), the words 'pursuant to Section 16' are deleted.

113. In Section 108f(1)(a), the words 'from gambling games for the administration of this tax' are deleted.

114. In Section 108f(1)(h), the words ', the intelligence service of the Czech Republic, the Ministry of the Interior or the Police of the Czech Republic' are inserted after the word 'Office'.

115. In the introductory part of Section 108f(2) and in Section 108g(1) and (2), the words 'pursuant to Section 16' are deleted.

116. In the introductory part of Section 108i, the words 'or a person acting for it' are inserted after the word 'operator' and the words 'pursuant to Section 16' are deleted.

117. The following Section 108i(a) and (b) are inserted:

'a) tax authorities;

b) the Financial Analytical Office on the basis of the Act on certain measures against the legalisation of proceeds of crime and the financing of terrorism or the Act on the implementation of international sanctions;'

Points a) to e) are renumbered as points c) to g).

118. In Section 108i(g), the words ", the intelligence service of the Czech Republic, the Ministry of the Interior or the Police of the Czech Republic" are inserted after the word "Office".

119. In Section 109(1), the words 'Gambling game operator' are replaced by 'Operator' and '(e)' shall be replaced by '(f)'.

120. The following Section 109(3) and (4) are added:

'(3) A gambling game, online game and the facilities through which they are operated may be operated by the operator only if:

a) the expert assessment document and the operability certificate has not expired,

1. on the basis of which the basic permit and the permit to situate gaming premises was granted;

or

2. that are submitted pursuant to Section 87(2) or (3);

- b) they have characteristics according to a valid professional assessment document and an operability certificate.

(4) Paragraph 3 shall not apply where the expert assessment document and the certificate of operability of the gambling game, the online game or the device through which they operate are not issued.'

121. In Section 109a(2)(f), the words 'if the operator has appointed such a person' are deleted.

122. After Section 109a(2), the following new paragraph (3) is inserted:

'(3) The operator must keep at least the following documents relating to the records referred to in paragraph (1):

- a) a document proving the competence of the person pursuant to paragraph (2)(d); and
- b) the appointment of the person pursuant to paragraph (2)(f).'

Paragraphs (3) to (5) are renumbered as paragraphs (4) to (6).

123. In Section 109a(4), the sentence 'This shall not apply to a live game not operated as an online game' is inserted after the first sentence.'

124. Section 109a(5) reads as follows:

'(5) Where the register pursuant to paragraph (1) relates to gambling games or equipment operating in a gaming area, it shall be accessible in such a way that the supervisory authority can consult it at any time during its opening hours.'

125. In Section 109a(6), the number '5' is replaced by '3'.

126. In Section 109b(4) the number '94' is replaced with '102'.

127. In Section 109c(3), the words 'Section 93 or 101' are replaced by 'Section 86'.

128. In Section 109c(4), the following sentences are inserted after the first sentence: 'The authorised person shall be required to issue a results document for the assessment of those changes within 90 days of the date on which the

request was received. If the operator does not provide the authorised person with the assistance enabling the change to be sufficiently assessed within that period, it shall not be a minor change.'

129. In Section 109c(5) the number '94' is replaced with '102'.

130. In Section 110(1), the words 'with the exception of a live game not operated as an online game' are inserted after '(1)'.

131. Section 110(3) reads as follows:

'(3) The condition for issuing the authorisation for expert assessment and certification shall be:

- a) integrity;
- b) accreditation for professional assessment, testing and inspection of gaming equipment; and
- c) ensuring the proper performance of expert assessment and certification.'

132. New Section 110(4) to (6) are inserted after paragraph (3) as follows:

'(4) The condition pursuant to paragraph (3)(a) must be fulfilled by

- a) the applicant;
- b) a member of the statutory body of the applicant and, if that member is a corporate entity, the natural person representing it in that body must also have integrity;
- c) a member of the supervisory board, board of directors or other similar supervisory body of the applicant and, if that member is a corporate entity, the natural person representing it in that body must also have integrity;
- d) the applicant's executive agent; and
- e) the applicant's beneficial owner.

(5) The applicant shall attach the following to the application for authorisation for expert assessment and certification:

- a) a list of persons who are
  1. a member of the applicant;
  2. a member of the applicant's statutory body;
  3. a member of the applicant's supervisory board, administrative board or other similar supervisory body;
  4. the applicant's authorised agent;
  5. the applicant's beneficial owner;

- b) identification of all persons pursuant to point (a);
- c) proof of integrity of all persons pursuant to paragraph (4); this does not apply to a person whose integrity can be ascertained by the Ministry in an automated manner from registers and records to which it has established automated access, provided that the Ministry publishes this fact on its website;
- d) proofs of the integrity of a person in a foreign state or affidavits of integrity for all persons pursuant to paragraph (4) that under this Act must also have integrity in relation to a foreign state;
- e) proof of accreditation pursuant to paragraph (3) (b); and
- f) documentation serving as proof of the facts pursuant to paragraph (3)(c).

(6) As at the application submission date, a document accompanying the application for authorisation for expert assessment and certification must not be older than

- a) 30 days in the case of a document pursuant to paragraph (5)(c);
- b) three months in the case of a document pursuant to paragraph (5)(a), (b) or (d).'

Paragraph (4) becomes paragraph (7).

133. In Section 110a the following paragraph (3) is added:

'(3) Section 110(6) shall apply mutatis mutandis to proof of good repute submitted pursuant to paragraph (1). The age of the document shall be assessed in relation to the date of its submission.'

134. In Section 111 the following new paragraph (2) is inserted after paragraph (1):

'(2) If the Ministry has doubts as to whether the authorised person fulfils the conditions laid down for the issue of the authorisation for professional assessment and certification, it shall invite the authorised person to eliminate these doubts and to prove that the conditions are fulfilled.'

Paragraphs (2) and (3) become (3) and (4).

135. Section 111(3)(a) reads as follows:

- 'a) if the authorised person fails to ensure, on the basis of the request pursuant to paragraph (1), the conditions laid down for the issue of such a

mandate;'

136. In Section 111(3), points (b) and (c) are inserted after point (a), which read as follows:

- 'b) if doubts have not been eliminated on the basis of a request pursuant to paragraph (2);
- c) if the authorised person fails to ensure, on the basis of a request pursuant to paragraph (1) or (2), the conditions laid down for such a mandate;'

Points (b) to (d) shall be renumbered as points (d) to (f).

137. Section 112(2) is deleted, and (1) becomes unnumbered.

138. At the end of the text of Section 112a(1)(a), the words 'and documentation demonstrating the proper performance of the professional assessment and certification accompanying the application for authorisation for professional assessment and certification' are added.

139. At the end of Section 112a(1)(b), the word 'and' is replaced by a comma.

140. At the end of Section 112a(1), the full stop is replaced by a comma and the following points (d) and (e) are added:

- 'd) maintain confidentiality of all facts which have come to its knowledge in the course of professional assessment and certification; and
- e) keep the related documentation on which it relied on the expert assessment and certification until 5 years have passed after the last date of validity of the expert assessment results document or certificate covered by that documentation.'

141. The following Section 112a(3) to (5) are added:

'(3) A natural person acting for an authorised person is obliged to maintain confidentiality of all facts which he or she has become aware of in carrying out professional assessment and certification.

(4) Section 108e to 108i shall apply mutatis mutandis to the obligations of confidentiality pursuant to paragraphs (1)(d) and (3).

(5) The authorised person and the Ministry shall cooperate and consult with each other in the interests of proper professional assessment and certification, the performance of the state administration in the field of the operation of gambling games and the protection of

the public interest.’.

142. The following Sections 112b and 112c are inserted after Section 112a:

‘Section 112b

**Notice of initiation and termination of expert assessment and certification**

(1) The authorised person is obliged to notify the Ministry in advance of the commencement of expert assessment and certification. The notification shall indicate:

- a) identification of the authorised person;
- b) the date of commencement of the expert assessment and certification;
- c) identification and contact details of the contact person.

(2) The authorised person is obliged to notify the Ministry at least one day before the completion of the expert assessment and certification of the moment of completion of the expert assessment and certification.

(3) The contact person pursuant to paragraph (1) shall be the natural person appointed by the authorised person to deal with public authorities in matters of professional assessment and certification and related matters.

Section 112c

**Duties of the authorised person following the revocation or termination of the professional assessment and certification mandate**

(1) The authorised person is obliged to provide their results of professional assessment and certification in the manner pursuant to Section 112a(1)(c) and to keep the related documentation pursuant to Section 112a(1)(e) until 5 years after the last date of their validity, even if they cease to be an authorised person.

(2) If a corporate entity that has the rights and obligations pursuant to paragraph (1) and that has a legal successor is wound up, those rights and obligations shall be transferred to that successor. This legal successor must notify the Ministry within 30 days of the date on which these rights and obligations were transferred to him.

(3) If a corporate entity that has the rights and obligations pursuant to paragraph (1) ceases to exist

without a legal successor, it shall be obliged to transmit the proof and other documents that are the subject of those obligations to the Ministry.’.

143. The following Section 114(a) is inserted:

‘a) decides on the issue or cancellation of an initial permit.’.

Points (a) to (j) shall be renumbered as points (b) to (k).

144. In Section 114(d), the words ‘Internet connection in the territory of the Czech Republic’ are replaced by ‘Internet access services, website operators or electronic interface’.

145. In Section 114(f), the words ‘pursuant to Section 16’ are deleted.

146. In Section 117 the following new paragraph (5) is inserted after paragraph (4):

‘(5) The gambling tax administration shall provide the Ministry with information obtained during the administration of this tax to the extent of information regarding

- a) breach of the obligation laid down by the act governing gambling tax and breach of the requirement of financial stability; this information may only be used for the purposes of proceedings on the cancellation of a basic permit;
- b) the amount of the decisive tax for the purposes of the administration of the deposit; or
- c) incorrect or missing data in the provided reporting for the purpose of verifying the correctness and completeness of the data contained in the provided reporting and corrective action.’.

Paragraph (5) is renumbered paragraph (6).

147. In Section 117(6), ‘4’ is replaced by ‘5’.

148. Section 117(7) is added, which reads:

‘(7) The provision of information pursuant to paragraph (5) shall not constitute a breach of the obligation of confidentiality under the Tax Code. In the case of information obtained by the Ministry under paragraph (5)(c), its provision to the supervising authority shall not constitute a breach of the obligation of confidentiality under the Tax Code.’.

149. In Section 121(6), the words ‘with the exception of damage arising in connection with the procedure referred to in Section 121b(2)’ are inserted

after the word 'state of affairs'.

150. After Section 121a, the following Section 121b is inserted:

'Section 121b

**Special provisions on funds inside a seized item**

(1) Where the supervisory authority has reasonable grounds to suspect that a seized item contains a box in which funds can be inserted and that the box had not been made accessible before the item was seized, the supervisory authority shall require the supervised person or person who is in possession of the item at the time of seizure to make the box accessible at the designated place at a specified time.

(2) If the supervised person or person who is in possession of the item at the time of seizure fails to comply with the obligation to make the box pursuant to paragraph (1) accessible at a specified time, the supervisory authority shall make it accessible without his assistance, including by force.

(3) The obligation pursuant to paragraph (1) shall be imposed by the supervisory authority by means of an order against which an appeal may be lodged within 5 days of the date of its notification.

(4) If an accessible box contains funds, the procedure laid down in Section 121 shall apply to them.'

151. Parts 1 and 2 of Segment Ten, Chapter II, including their headings, read as follows:

'Part 1

**Infractions of persons involved in the operation of gambling games**

Section 122

**Infractions of persons who are not an operator**

(1) A person who is not an operator commits an infraction by

- a) making available a gambling game for which no permit has been granted or that has not been duly notified, or facilitates meetings for the purpose of organising such a gambling game in order to obtain for himself or another person a financial benefit from that organisation or meeting;
- b) participating in gambling games contrary to

Section 7(5);

- c) breaching the obligation of confidentiality pursuant to Section 11, Section 108e, Section 108h(2) or Section 112a(3);
- d) as a bettor, intentionally causing an error or an incorrect procedure pursuant to Section 30(1);
- e) participating in a bet or betting on a betting event contrary to Section 38(1), (3) or (4); or
- f) breaching any of the obligations related to the seizure of an item pursuant to Section 121(4).'

(2) Fines of the following amounts may be imposed for an infraction:

- a) up to CZK 1,000,000 in the case of an infraction pursuant to paragraph (1)(a);
- b) up to CZK 500,000 for an infraction pursuant to paragraph (1)(b), (c), (d), (e) or (f).

(3) An on-the-spot citation may impose a fine of up to CZK 50,000 for an infraction pursuant to paragraph (1).

Section 123

**Infractions of operators**

(1) An operator commits an infraction by

- a) making available a gambling game for which no permit has been granted or that has not been duly notified, or facilitates meetings for the purpose of organising such a gambling game in order to obtain for himself or another person a financial benefit from that organisation or meeting;
- b) failing to meet the notification obligation stipulated by this Act;
- c) failing to comply properly with the recording or other record-keeping obligation laid down by this Act or imposed by the supervisory authority or, contrary to this Act, does not make available to the supervising authority a record, record or document that is subject to a recording or other record-keeping obligation in order to be able to consult them;
- d) when operating a non-online game, breaching one of the prohibitions pursuant to Section 7(1) or (2);
- e) when operating an online game in which a participant has made a stake, breaching one of the prohibitions pursuant to Section 7(1) or (2);
- f) contrary to Section 7(3)(a), conferring an

- advantage on a player;
- g) contrary to Section 7(3)(b), conferring an advantage on a player;
- h) contrary to Section 7(4), accepting a non-monetary stake or bet in the context of a gambling game;
- i) encouraging participation in a gambling game contrary to Section 7(6);
- j) failing to ensure the availability of information and data in the Czech language pursuant to Section 9;
- k) contrary to Section 9a, accepting or returning payment in another currency;
- l) breaching of any of the obligations relating to the payment of winnings pursuant to Section 10(1) to (6), (8), 10a, 10b or 10c;
- m) breaching the obligation of confidentiality pursuant to Section 11, Section 108e or Section 108h(2);
- n) contrary to Section 13, operating a gambling game in premises in which it is not possible to operate gambling;
- o) failing to comply with any of the reporting obligations pursuant to Section 13a or Section 108a to 108d;
- p) failing to meet the obligation to provide information pursuant to Section 13b or Section 75;
- q) breaching any of the obligations related to currency conversion pursuant to Section 13f;
- r) breaching any of the obligations related to self-exclusion measures pursuant to Section 14 to 15;
- s) breaching any of the obligations relating to the means of preventing participation in a gambling game pursuant to Section 16bb(1), (2)(a), (4) to (6);
- t) contrary to Section 16bb(2)(b), allowing a player to place a bet in a game;
- u) failing to comply with any of the obligations relating to the entry of a natural person in the register pursuant to Section 17(1);
- v) breaching any of the obligations relating to registration and user account pursuant to Section 17a, Section 17b(2), (3), Section 17c(1), (3) or Section 17d(2) or (3);
- w) allowing the transfer of registered cash or gaming funds in contrary to Section 17d(4) or (5);
- x) permitting the creation of a user account or the placing of a bet in a gambling game contrary to Section 17d(6);
- y) failing to comply with any of the obligations relating to the financing of an online game pursuant to Section 17e(4) to (6), (8) or (9); or
- z) failing to comply with any of the obligations relating to the user account pursuant to Section 17f(1).
- (2) An operator also commits an infraction by
- a) failing to provide an extract from the data recorded on the user's account pursuant to Section 17h;
- b) breaching any of the obligations related to the payment of funds from a user account pursuant to Section 17i;
- c) contrary to Section 17k(1), charging a gambling game participant for inactivity;
- d) breaching any of the obligations relating to the cancellation of a user's account pursuant to Section 17l, Section 17m(1), (4), (6), Section 17n(1), Section 17o(4) or Section 17p;
- e) breaching any of the obligations relating to the cancellation of a user account pursuant to Section 17m(2), (3), (5), Section 17n(4) or Section 17o(3);
- f) failing to ensure compliance with the procedure for handling value chips, gaming chips, banknotes or coins pursuant to Section 58(3);
- g) breaching any of the obligations relating to the operation of gaming premises pursuant to Section 65, Section 66(1) to (3) or (5);
- h) breaching any of the obligations related to the operation of gaming premises pursuant to Section 67;
- i) breaching any of the obligations relating to the operation of a casino pursuant to Sections 68 to 68b;
- j) contrary to Section 68c(2), setting aside an eligible live game table for the studio;
- k) breaching any of the obligations relating to the operation of a studio pursuant to Section 68c(3) or (4);
- l) contrary to Section 69, allowing a person under the age of 18 to enter a gaming area;
- m) breaching any of the obligations relating to identification pursuant to Section 71(1) or (2);

- n) failing to comply with any of the monitoring obligations pursuant to Sections 72 to 72c;
- o) breaching any of the obligations relating to the inspection of the camera system schematic pursuant to Section 72d(4);
- p) contrary to Section 73(4), offering or providing a device allowing participation in an online game;
- q) breaching any of the obligations related to the submission of documents pursuant to Section 87;
- r) breaching any of the obligations related to technical requirements pursuant to Section 109(1);
- s) breaching any of the obligations related to technical requirements pursuant to Section 109a(4), (5), Section 109c(4) or (5); or
- t) breaching any of the obligations related to the seizure of an item pursuant to Section 121(4).'

(3) An operator or its legal successor commits an infraction by breaching any of the obligations relating to the cancellation or termination of the authorisation to operate a gambling game pursuant to Section 104a.

(4) For an infraction pursuant to paragraph (1), a fine may be imposed

- a) of up to CZK 50,000,000 in the case of an infraction pursuant to (a), (d), (e), (n), (o), (t), (u) or (v);
- b) of up to CZK 5,000,000 in the case of an infraction pursuant to (c), (g), (h), (i), (l), (m), (r), (s), (x), (y) or (z);
- c) of up to CZK 1,000,000 in the case of an infraction pursuant to (b), (f), (j), (k), (p), (q) or (w).

(5) For an infraction pursuant to paragraph (2), a fine may be imposed

- a) of up to CZK 50,000,000 in the case of an infraction pursuant to (h), (i), (k), (l), (m), (n), (p) or (r);
- b) of up to CZK 5,000,000 in the case of an infraction pursuant to (b), (c), (d), (f), (g), (j), (o), (q), (s) or (t);
- c) of up to CZK 1,000,000 in the case of an infraction pursuant to (a) or (e).

(6) A fine of up to CZK 5,000,000 may be imposed for an infraction pursuant to paragraph (3).

(7) An on-the-spot citation may impose a fine of up to CZK 100,000 for an infraction pursuant to paragraphs (1) to (3).

## Part 2

### Infractions of other persons

#### Section 123a

##### **Infractions committed by an authorised person**

(1) An authorised person commits an infraction by

- a) failing to report changes in the facts relevant to the issue of the authorisation for professional assessment and certification or to provide documents pursuant to Section 110a;
- b) failing to comply with any of the obligations pursuant to Section 112a(1) when carrying out an expert assessment and certification;
- c) issuing a expert assessment result document and certificate contrary to Section 112a(2); or
- d) failing to report the commencement or termination of expert assessment and certification pursuant to Section 112b.

(2) The authorised person or his/her legal successor shall commit an infraction by failing to fulfil any of the obligations relating to the cancellation or termination of the authorisation for professional assessment and certification pursuant to Section 112c(1), (2) or (3).

(3) For an infraction pursuant to paragraph (1), a fine may be imposed

- a) of up to CZK 5,000,000 in the case of an infraction pursuant to (b);
- b) of up to CZK 1,000,000 in the case of an infraction pursuant to (a), (c) or (d).

(4) A fine of up to CZK 5,000,000 may be imposed for an infraction pursuant to paragraph (2).

#### Section 123b

##### **Infractions related to the blocking of unauthorised online games**

(1) The provider of the internet access service shall commit an infraction by allowing access to a website on the list of unauthorised online games, contrary to Section 84a(1) and (3).

(2) A payment service provider commits an infraction by carrying out, in breach of Section 84b(1) and (3), a payment transaction to the credit or debit of an account included in the list of unauthorised online games.

(3) The operator of a website or electronic interface commits an infraction by disseminating an application whose identifier is included in the list of unauthorised online games, contrary to Section 84c(1) and (3).

(4) A fine of up to CZK 1,000,000 may be imposed for an infraction pursuant to paragraph (1), (2) or (3).'

152. In Section 124(1), the words '(c) and (f) and' are replaced by '(a) and (e)' and the words 'and 123a' are inserted after 'Section 123'.

153. Section 129(2) reads as follows:

'(2) The Customs Office for the Pilsen Region shall be responsible for dealing with infractions in the field of gambling games consisting of the operation of gambling games contrary to Section 7(2)(a) or (b).'

154. In Section 129(2), the words 'for the Pilsen Region' are replaced by 'in Pilsen'.

155. After Section 129(2), new paragraphs (3) and (4) are inserted, which read:

'(3) For dealing with infractions in the field of online gaming pursuant to this Act other than under paragraph (2), the competent customs office is the one in whose territorial area the suspect of the infraction has or has last resided, if it is a natural person, or has or has its last registered office, if it is a corporate entity or a sole trader.

(4) If the territorial competence of the customs office cannot be determined in accordance with paragraph 3, the customs office for the Pilsen Region shall have territorial jurisdiction.'

Paragraphs (3) and (4) are renumbered as paragraphs (5) and (6).

156. In Section 129(4), the words 'for the Pilsen Region' are replaced by 'in Pilsen'.

157. In Section 129(5), 'j)' is replaced by '(c)', 'Section 108e' is replaced by 'in accordance with this Act' and at the end of the paragraph the sentence 'If jurisdiction cannot be determined the customs office has jurisdiction'.

158. In Section 129(6), the words 'authorised persons, internet access providers in the Czech Republic and payment service providers' are replaced by 'pursuant to Part 2'.

159. In Section 130(a)(1), the words 'number and type of identity card, the State or the authority that issued the identity card and its expiry date' shall be inserted after the word 'assigned'.

160. In Section 130(a)(3), the words 'name(s), surname, personal ID number' shall be replaced by 'in addition to the particulars pursuant to point 1 also'.

161. In Section 130, the existing text becomes paragraph (1) and the following paragraph (2) is added:

'(2) Paragraph (1)(a)(1) shall always apply to the a gambling game participant.'

162. In Section 130a(1), the words 'pursuant to Section 16' are deleted.

163. In Section 131, the words 'pursuant to Section 16' are deleted.

164. In Section 132(1)(d), the word 'register' is replaced by 'information system'.

165. A new Section 132a is inserted after Section 132, which, including the heading, reads as follows:

'Section 132a

#### **Use of data for the purpose of managing the register**

(1) The Ministry may, to the extent necessary for the management of the register, request from the Financial Administration of the Czech Republic and from the authority of the Customs Administration of the Czech Republic the provision of data on ordered and carried out tax executions. The provision of these data does not constitute a breach of confidentiality under the Tax Code.

(2) The Ministry may, to the extent necessary to maintain the register, request, including by automated means, data from the central register of distraint from its operator, namely:

- a) individually or
- b) in batches, indicating the details of all persons entered in the public list section.

(3) The public authority pursuant to paragraph (1) or the operator of the central register of distraint pursuant to paragraph (2) shall comply with the request for the provision of data without undue delay;

the provision of data is free of charge.

(4) The data shall be provided in a manner allowing remote and continuous access. The public authority pursuant to paragraph (1) or the operator of the central register of distraint pursuant to paragraph (2) shall also be obliged to provide data on the modification or deletion of data.'

166. In Section 133(1)(a), the words 'notification and sending of information and transmission' are replaced by ', the content requirements and the time limit for the notification, storage or sending information and for transmission'.

167. At the end of Section 133(1) the full stop is replaced by a comma and the following (e) to (g) are added:

- 'e) a list of prohibited risk bonuses;
- f) a model for the application for an initial authorisation, a basic permit or a permit to situate gaming premises;
- g) requirements for the minimum essentials of the gaming plan.'

168. In Section 133(2)(a), the words 'of an initial permit' shall be inserted after the word 'issue'.

169. At the end of Section 133(2), the full stop is replaced by a comma, and the following points (c) and (d) are added:

- 'c) other conditions for the operation of gambling games that are necessary to ensure the protection of health, property or other public interest or to supervise compliance with obligations under this Act;
- d) other particulars that the ticket must contain and, where appropriate, the manner in which they appear on the ticket.'

### Article XCIII

#### Notification

This part was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

### Article XCIV

### Transitional provisions

1. Administrative proceedings pursuant to Act No 86/2016, as amended prior to the effective date of this Act that have not been completed with a final decision before the effective date of this Act shall be completed pursuant to Act No 186/2016, as amended prior to the effective date of this Act.

2. The operator operates gambling games pursuant to Segment One Chapter II, Sections 14 to 15, 18 to 46, 48 to 58, 72, Segment Four Chapter I and Segment Eight Chapter I of Act No 186/2016, as amended prior to the effective date of this Act, until the date of cancellation, termination or amendment, if it is made on the basis of an application by the operator, of a basic permit issued before the effective date of this Act, as amended prior to the effective date of this Act, or issued in proceedings pursuant to point 1. If, by 1 April 2025, the decision to amend a basic permit on the basis of an application by the operator does not become final, the basic permit shall expire on that date. A basic permit shall not expire in this manner if, as at 1 April 2025, proceedings on an application by the operator to amend a basic permit received by the Ministry of Finance before 1 April 2025 are pending, a basic permit shall not expire unless the application is rejected or the proceedings on it are terminated. In such a case, the basic permit shall expire on the date on which the application is rejected or the proceedings are terminated. The efficacy of the decision on such an application to amend a basic permit may be deferred by a maximum of two months from the date on which the decision becomes final. Section 109b(4) and Section 109c(4) and (5) of Act No 186/2016, as amended prior to the effective date of this Act, and Sections 8 to 13d, Sections 13f to 15, Segment One Chapter IV, Sections 18 to 26, 27 to 38, 39 to 60f, 72 to 72b, 72d, Segment Four Chapter I and Segment Eight Chapter I of Act No 186/2016, as amended prior to the effective date of this Act, shall not apply.

3. The operator may operate gaming premises on the basis of a permit to situate gaming premises issued pursuant to Act No 186/2016 as amended prior to the effective date of this Act.

4. An operator operating gambling games pursuant to point 2 is entitled to make a change in a gambling game pursuant to Section 3(2)(a) to (e) of Act No 186/2016, as amended prior to the effective date of this Act, an online game or a device through which these gambling games are operated, to the extent necessary to adapt them to the requirements of

Section 14, 15, 16bb and Segment One Chapter IV of Act No 186/2016, as amended prior to the effective date of this Act. The operator is not obliged to submit to the Ministry of Finance an expert assessment results document and certificate, the object of which is to verify compliance with the obligation under Section 109(1) of Act No 186/2016 as amended prior to the effective date of this Act, as a result of the implementation of this amendment, and to submit an application for amendment of the basic permit, if such change is recorded in the register of corrections and other changes pursuant to Section 109a of Act No 186/2016 as amended prior to the effective date of this Act. The operator shall ensure that the assessment of these changes is included in the technical assessment results document and certificate accompanying the application for amendment of the basic permit pursuant to point 2.

5. An operator operating gambling games pursuant to point 2 is obliged to proceed in accordance with Section 14 to 15, Section 16bb(1), (2) (b), (4), Part One of Chapter IV, Section 72 to 72b and 72d of Act No 186/2016, as amended prior to the effective date of this Act, no later than 1 July 2024 or from the date on which the decision to issue a basic permit on the basis of an application for amendment of the basic permit on the basis of which the gambling game is operated pursuant to point 2 takes effect, whichever is the earlier.

6. From the day indicated in the information on the commissioning of a function of an information system permitting the operation of gambling games allowing the reception of information regarding the use of means of self-exclusion of participation in a gambling game issued by the Ministry of Finance, the operator is obliged to proceed pursuant to Section 16bb(2)(a) and (5) of Act No 186/2016, as amended prior to the effective date of this Act.

7. The Ministry of Finance shall publish the information pursuant to point 6 without undue delay after the information system has been put into operation, shall publish the technical documentation for its connection to it on its website and shall determine and publish in that information the date referred to in point 6, so that it occurs not earlier than on the first day of the sixth calendar month immediately following the date of publication of the technical documentation.

8. An operator who, as at the effective date of

this Act, holds a final basic permit pursuant to Act No 186/2016, as amended prior to the effective date of this Act, shall be issued an effective initial permit pursuant to Act No 186/2016, as amended prior to the effective date of this Act, on the effective date of this Act. For the purposes of Section 97 of Act No 186/2016, as amended prior to the effective date of this Act, the conditions laid down in Section 87(1)(a) and (c) of Act No 186/2016, as amended prior to the effective date of this Act, and the provision of a deposit pursuant to points 11 and 12 or a deposit pursuant to point 16, are a condition for issuing this initial permit. If, on the effective date of this Act, the operator does not hold a final basic permit pursuant to Act No 186/2016, as amended prior to the effective date of this Act, and if, within 6 months from the effective date of this Act, the basic permit issued in the proceedings referred to in point 1 takes effect, the first and second sentences shall apply *mutatis mutandis*; in such a case, the initial permit shall take effect on the date on which the basic authorisation comes into effect. An operator holding an initial permit under the first to third sentences may, within 6 months of the effective date of this Act, submit an application for an assessment of the fulfilment of the conditions for issuing the initial permit. The provisions on the application for an initial permit pursuant to Act No 186/2016, as amended prior to the effective date of this Act, shall apply to this application *mutatis mutandis*. An initial permit pursuant to the first to third sentences expires

- a) on 1 July 2024, if the Ministry has not received a request from the operator to assess the fulfilment of the conditions for issuing an initial permit by 30 June 2024; or
- b) on the date on which the decision rejecting the application for assessment of compliance with the conditions for issuing the initial permit or suspending the procedure for issuing the initial permit becomes final.

9. If during proceedings on the assessment of the application demonstrate that the conditions for issuing the initial permit pursuant to point 8 are met, the Ministry of Finance shall replace the initial permit pursuant to point 8 with a new one. A deposit provided pursuant to points 11 and 12 shall not be taken into account.

10. An operator who, on the effective date of this Act, holds an effective basic permit pursuant to Act No 186/2016, as amended prior to the effective date of

this Act, shall, on the effective date of this Act, be included in the deposit group corresponding to the highest decisive tax pursuant to Section 95(2) of Act No 186/2016, as amended prior to the effective date of this Act, arising in the second to fifth tax period of gambling tax immediately preceding the effective date of this Act. If a deposit group cannot be determined in this manner, it is included in deposit group 1.

11. An operator who holds an effective initial permit pursuant to point 8 and who, on the day immediately preceding the effective date of this Act, was obliged to provide a deposit pursuant to Section 89 of Act No 186/2016, as amended prior to the effective date of this Act, shall be obliged to provide a deposit pursuant to Section 89 of Act No 186/2016, as amended prior to the effective date of this Act, until the date of final issue of the initial permit pursuant to point 9. Sections 89 and 90 of Act No 186/2016, as amended prior to the effective date of this Act, shall apply to this deposit *mutatis mutandis*.

12. An operator who holds an effective initial permit pursuant to point 8 and who, on the day immediately preceding the effective date of this Act, was obliged to provide a deposit pursuant to Section 100 of Act No 186/2016, as amended prior to the effective date of this Act, shall be obliged to provide a deposit pursuant to Section 100 of Act No 186/2016, as amended prior to the effective date of this Act, until the date of final issue of the initial permit pursuant to point 9. Section 100 and Section 100a of Act No 186/2016, as amended prior to the effective date of this Act, shall apply to this deposit *mutatis mutandis*.

13. Section 87(1)(b) and Section 98(1)(b) of Act No 186/2016, as amended prior to the effective date of this Act, shall apply to an operator who is obliged to provide a deposit pursuant to point 11 or 12.

14. As a condition for the issuance or amendment of a basic permit pursuant to Act No. 186/2016 Coll., as in force from the date of entry into force of this Act, the holder of an effective initial permit pursuant to point 8 shall, until the issuance of the initial permit pursuant to point 9, also provide a bond pursuant to Section 89 of Act No. 186/2016 Coll., as in force prior to the date of entry into force of this Act, or pursuant to Section 93 of Act No. 186/2016 Coll., as in force from the date of entry into force of

this Act. If a deposit is provided pursuant to Section 89 of Act No 186/2016, as amended prior to the effective date of this Act, point 11 shall apply *mutatis mutandis* to it.

15. As a condition for the issuance of a permit for the location of a gaming space pursuant to Act No. 186/2016 Coll., as amended from the date of entry into force of this Act, to the holder of an initial permit pursuant to point 8, the provision of a deposit pursuant to Section 100 of Act No. 186/2016 Coll., as amended prior to the date of entry into force of this Act, or Section 93 of Act No. 186/2016 Coll., as amended from the date of entry into force of this Act, shall also be required until the issuance of an initial permit pursuant to point 9. If a deposit is provided pursuant to Section 100 of Act No 186/2016, as amended prior to the effective date of this Act, point 12 shall apply *mutatis mutandis* to it.

16. An operator who is obliged to provide a deposit pursuant to points 11 or 12 may, instead of this deposit, provide a deposit pursuant to Section 93 of Act No. 186/2016, as amended prior to the effective date of this Act. By completely providing a deposit pursuant to Section 93 of Act No. 186/2016, as amended prior to the effective date of this Act, the obligation to provide a deposit pursuant to 11 and 12 becomes null and void.

17. Funds deposited for the purpose of providing a deposit pursuant to Section 89 or Section 100 of Act No 186/2016, as amended prior to the effective date of this Act, with the exception of funds which are subject to the procedure pursuant to Section 90 or Section 100a of Act No 186/2016, as amended prior to the effective date of this Act, may, at the request of the operator, be used to provide a deposit pursuant to Section 93(1)(a) of Act No 186/2016, as amended prior to the effective date of this Act.

18. If the operator provides a deposit pursuant to Section 93 of Act No 186/2016, as amended prior to the effective date of this Act, in full,

- a) funds deposited for the purpose of providing the deposit pursuant to Section 89 or Section 100 of Act No 186/2016, as amended prior to the effective date of this Act, with the exception of funds which are subject to the procedure pursuant to Section 90 or Section 100a of Act No 186/2016, as amended prior to the effective date of this Act, to the extent applicable, shall become a refundable overpayment, which the

Ministry of Finance shall refund based on the operator's request within 30 days of the date the request was submitted or the date the Ministry of Finance received the bank guarantee providing the deposit, whichever date is the later; Section 90 and Section 100a of Act No 186/2016, as amended prior to the effective date of this Act, shall not apply to these funds;

- b) according to the nature of the deed of guarantee, the Ministry of Finance shall return a deed of guarantee accepted pursuant to Section 89 or 100 of Act No. 186/2016, as amended prior to the effective date of this Act, including any amendments thereto, with the exception of a deed of guarantee and any amendment thereto that are subject to the procedure pursuant to Section 90 or Section 100a of Act No 186/2016, as amended prior to the effective date of this Act, or shall issue a declaration of waiver from such a bank guarantee, at the request of the operator, within 30 days of the date on which the application was received, or on the date on which the funds were deposited or the Ministry of Finance accepted a bank guarantee providing the deposit, whichever is later.

19. A procedure pursuant to Section 90 of Act No 186/2016, as amended prior to the effective date of this Act, initiated before the effective date of this Act shall be completed pursuant to Section 90 of Act No 186/2016, as amended prior to the effective date of this Act.

20. A procedure pursuant to Section 100a of Act No 186/2016, as amended prior to the effective date of this Act, initiated before the effective date of this Act shall be completed pursuant to Section 100a of Act No 186/2016, as amended prior to the effective date of this Act.

21. Administrative proceedings pursuant to Section 82 and 83 of Act No 186/2016, as amended prior to the effective date of this Act that have not been completed with a final decision before the effective date of this Act are terminated as at the effective date of this Act.

22. Websites and payment accounts entered on the list of unauthorised online games pursuant to Act No 186/2016, as amended prior to the effective date of this Act, and the data on them shall be considered

as data registered pursuant to Section 84d of Act No 186/2016, as amended prior to the effective date of this Act. For these websites and payment accounts, the Ministry of Finance shall add the reason for registration and other necessary data to the list of unauthorised online games pursuant to Section 84d(2)(b) and (e) of Act No 186/2016, as amended prior to the effective date of this Act, within 60 days from the effective date of this Act.

23. The condition of the operation of gambling games laid down in a basic permit that is contrary to Act No 186/2016, this Act, shall not be taken into account. This does not apply if a gambling game is operated pursuant to point 2 and the condition of operation relates to the provisions of Act No 186/2016, this Act, applied pursuant to point 2.

24. For the purposes of Section 7(6) of Act No 186/2016, as amended prior to the effective date of this Act, only communications made from the effective date of this Act shall be taken into account.

25. The provisions of a gaming plan that are contrary to the provisions of Section 14, Section 15, Section 16bb and Segment One Chapter IV of Act No 186/2016, as amended prior to the effective date of this Act, shall not be taken into account.

26. The provisions of Chapter IV of Segment One of Act No 186/2016, as amended prior to the effective date of this Act, shall apply to the unfinished registration of a participant of gambling commenced pursuant to Section 29, 44 or 76 of Act No 186/2016, as amended prior to the effective date of this Act.

27. Act No 186/2016, as amended prior to the effective date of this Act shall apply to the process of cancellation and settlement of a user account pursuant to Section 29, 44 and 76 of Act No 186/2016, as amended prior to the effective date of this Act.

28. A temporary user account pursuant to Section 47 of Act No 186/2016, as amended prior to the effective date of this Act, shall be treated as a user account established under Segment One, Chapter IV of Act No 186/2016, as amended prior to the effective date of this Act.

29. Monetary or gaming funds from a temporary user account pursuant to Section 80 of Act No 186/2016, as amended prior to the effective date of this Act, may be transferred under the conditions laid down in Section 80 of Act No 186/2016, as amended prior to the effective date of this Act, to a user account

established under Segment One, Chapter IV of Act No 186/2016, as amended prior to the effective date of this Act. A new temporary user account pursuant to Section 80 of Act No 186/2016, as amended prior to the effective date of this Act, cannot be established.

30. If the operator is not obliged to record the total aggregate amount of net losses before the effective date of this Act, it may, for the purposes of fulfilling the information obligation under Section 75(1)(b)(3) of Act No 186/2016, as amended prior to the effective date of this Act, instead of the total aggregate amount of net losses since the activation of the user account, publish the total aggregate amount of net losses from 1 July 2024 or from the date of adaptation of the gambling game to the requirements of Section 14 to 15 and Part One of Chapter IV of Act No 186/2016, as amended prior to the effective date of this Act, whichever is the earlier. It is obliged to publish this information in the same way.

31. The Operator may operate a live game operated by remote access via the Internet, during which a participant plays a gambling game against the operator's software gaming system, for the period of legal effects of the basic permit for this game pursuant to Act No. 186/2016, as amended prior to the effective date of this Act, provided that this basic permit is issued on the basis of an application submitted before the effective date of this Act. The provisions of Act No 186/2016, as amended prior to the effective date of this Act, on broadcast live games, shall not apply to this live game. For the duration of the legal effects of this basic permit, the operator may not operate a broadcast live game pursuant to Act No 186/2016, as amended prior to the effective date of this Act.

32. The Customs Office for the Pilsen Region shall be responsible for dealing with an infraction in the field of online games pursuant to Act No 186/2016, as amended prior to the effective date of this Act, committed before the effective date of this Act.

33. The Ministry of Finance shall complete the register of natural persons excluded from participation in gambling games with data from the central register of distraint and from records kept by authorities of the Financial Administration of the Czech Republic and the Customs Administration of the Czech Republic by 31 December 2026 at the latest.

34. Section 17(1) of Act No 186/2016, as amended prior to the effective date of this Act, shall apply to a person entered in the register of natural persons excluded from participation in gambling games pursuant to Section 16a(1)(h) of Act No 186/2016, as amended prior to the effective date of this Act, from 1 January 2027. This is without prejudice to the obligation to proceed pursuant to Section 17(1) of Act No 186/2016, as amended prior to the effective date of this Act, in the case of registration in the register of natural persons excluded from participation in gambling games for another legal reason.