

## IMPORTANT NOTES

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### GOVERNMENT DECISION no. 111/2016

approving the Methodological Norms for the implementation of Government Emergency Ordinance No 77/2009 on the organisation and operation of games of chance and for the modification and supplementation of the Government's Decision no. 298/2013 regarding the organization and functioning of the National Office for Gambling and for the amendment of the Government's Decision no. 870/2009 for the approval of the Methodological Norms for applying the Government's Emergency Ordinance no. 77/2009 and for repeal of Government Decision no. 870/2009

Pursuant to article 108 of the Romanian Constitution, republished, art. 31 para. (2) of Government Emergency Ordinance no. 77/2009 regarding the organization and operation of games of chance, approved with amendments and completions through Law no. 246/2010, as subsequently amended and supplemented, as well as art. 5 para. (5) of Government Ordinance no. 80/2001 regarding the establishment of expense regulations for public administration authorities and public institutions, approved with amendments and completions through Law no. 247/2002, as subsequently amended and supplemented

**Government of Romania** adopts the present decision.

#### **Art.1.**

The methodological norms for applying Government Emergency Ordinance no. 77/2009 regarding the organization and operation of games of chance, approved with amendments and completions through Law no. 246/2010, as subsequently amended and supplemented, provided within annex no. 1 which is part of the present decision, are approved.

#### **Art. 2.**

On the date of entering into force of the present methodological norms, Government Decision no. 870/2009 for the approval of the Methodological Norms for applying Government

Emergency Ordinance no. 77/2009 regarding the organization and operation of games of chance, published in the Romanian Official Gazette no. 528 of July 30, 2009, Part I, as subsequently amended and supplemented, shall be repealed.

**Art. 3.**

Government Decision no. 298/2013 on the organization and functioning of the National Office for Gambling and amending Government Decision no. 870/2009 for the approval of the Methodological Norms for applying Government Emergency Ordinance no. 77/2009 regarding the organization and operation of games of chance, published in the Romanian Official Gazette no. 311 of May 30, 2013, Part I, as subsequently amended and supplemented, shall be amended and completed as follows:

**1. The title shall be amended and will have the following content:** Government Decision no. 298/2013 on the organization and functioning of the National Office for Gambling for the approval of the Methodological Norms for applying Emergency Ordinance no. 77/2009 regarding the organization of games of chance, as subsequently amended and supplemented.

**2. Article 7 letter a) shall be amended and will have the following content:**

“a) identification of the websites which do not hold the license to organize and authorization to operate as per the Romanian legislation, through which the games of chance defined by art. 10 para. (1) let. h)-n) of Government Emergency Ordinance no. 77/2009 regarding the organization and operation of games of chance, approved with amendments and completions through Law no. 246/2010, as subsequently amended and supplemented, hereinafter on-line games, are accessed;”

**3. Paragraph (3) of article 9 shall be amended and will have the following content:**

“(3) The car park is formed through public procurement or any other methods, according to the law.”

**4. After paragraph (2) of article 10 a new paragraph shall be introduced, para. (3), having the following content:**

“(3) ONJN, provides annually within the revenue and expenditure budget the necessary amount of money for the handling, transportation and storage of the seized or confiscated cargo and goods , for the analysis and examination of evidence, specimens or samples collected during the control, for the performance of technical expertise, as well as for destruction of cargo, in the conditions provided by law.”

**5. Article 13 shall be repealed.**

**6. Annex no. 1 shall be amended and replaced with annex no. 2 of the present decision.**

**7. Annex no. 3 shall be amended and will have the following content:**

MAXIMUM NUMBER  
of approved cars

Type of transportation	Maxim number approved (pieces)
Cars	50

#### **Art.4.**

The present Government's Decision was adopted with the observance of the notification procedure provided by the Government's Decision no. 1016/2014 regarding the measures for the organization and performance of the exchange of information in the domain of technical standards and regulations as well as of the rules regarding the services of the informational society between Romania and the member states of the European Union, as well as the European Commission, published in the Official Gazette of Romania, Part I, no. 664 of July 23, 2004, as subsequently amended and supplemented, which transposes Directive 98/34/EC of the European Parliament and Council of June 22, 1998, of establishing a procedure for the delivery of information in the domain of technical standards and regulations, published in the Official Gazette of European Communities, L series, no. 204 of July 21, 1998, amended by Directive 98/48/CE of the European Parliament and Council of July 20, 1998, published in the Official Gazette of European Communities, L series, no. 217 of August 5, 1998, as well as by the Regulation (EU) no. 1025/2015 of the European Parliament and Council of October 25, 2012 regarding the European standardization, amending Directive 89/686/EEC and 93/15/EEC of the Council and Directives 94/9/EC, 94/25/EC, 95/16/EC, 97/23/EC, 98/34/EC, 2004/22/EC, 2007/23/EC, 2009/23/EC and 2009/105/EC of the European Parliament and Council as well as of the abrogation of Decision 87/95/EEC of the Council and of Decision no. 1673/2006/EC of the European Parliament and Council, published in the European Communities Official Gazette, L series, no. 316 of November 14, 2012.

**Methodological norms  
for applying Government Emergency Ordinance no. 77/2009 regarding the organization  
and operation of games of chance**

**CHAPTER I  
GENERAL PROVISIONS**

**Article 1.**

Games of chance and other auxiliary activities, specific to games of chance may be organised and operated in Romania by persons who comply with the requirements stipulated in Government Emergency Ordinance No 77/2009 on the organisation and operation of games of chance, approved with amendments and additions by Law No 246/2010, with its subsequent amendments and additions, hereafter referred to as Emergency Ordinance, and this Decision, only on the basis of the licence to organise and the authorisation to operate games of chance, which are documents issued by the National Gambling Office for traditional and remote games of chance.

**CHAPTER II  
DEFINITION OF TERMS USED IN THE FIELD OF GAMBLING**

**Article 2.**

Within the meaning of these methodological norms, the following terms and phrases will be defined as follows:

- a) competent authority – the National Gambling Office, hereinafter called ONJN, a specialist body within the central public authority, which is subordinate to the Prime Minister, through Prime Minister's Chancellery;
- b) affiliates - an individual or legal entity who makes an income, on the basis of a contract concluded with a remote gambling organiser, from the participation in the game of players directed by them to the organiser's website or platform;
- c) authorisation to operate games of chance – a registered document issued by the National Gambling Office in accordance with Government Emergency Ordinance no. 77/2009 regarding the organization and operation of games of chance, as subsequently amended and supplemented and these methodological norms, which gives its holder the right to carry out activities of traditional and remote games of chance in Romania;
- d) approval – an administrative document issued by the National Gambling Office, upon request, in accordance with the Emergency Ordinance no. 77/2009 and this Decision, to economic operators that carry out activities, other than those relating to games of chance, as provided at art. 3 para. (3) of Government Emergency ordinance no. 77/2009;

e) discount – a reduction of 10 % of the sum of money owed as a fee for the authorisation to operate games of chance, which is for payments made in advance for the entire validity period of the authorisation, granted according to the legal provisions in force, for the type of games mentioned in the emergency ordinance no. 77/2009;

f) bonus – an additional benefit that can be obtained by the player, without having to pay any additional fees or costs, under the conditions stipulated in the organiser's game rules, within a given period of time or for certain events;

g) technical inspection of gambling equipment – technical evaluation and verification activities carried out by specialized companies, licensed according to the law, on the gambling equipment. Specialized companies are conformity evaluation bodies, in accordance with the provisions of Article 19(1) of the Emergency Ordinance no. 77/2009;

h) equipment used for traditional games of chance – an assembly of technical and/or computer facilities which, through its structural method of operation, does not allow its use for any purposes other than to carry out one of the traditional gambling activities, as stipulated in the Emergency Ordinance no. 77/2009, as subsequently amended and supplemented;

i) 2nd class license - a registered document issued by the National Gambling Office in accordance with Government Emergency Ordinance no. 77/2009, as subsequently amended and supplemented and this decision, which grants its holder with the right to carry out in Romania ancillary activities for traditional and remote games of chance;

j) licence to organise games of chance – a registered document issued by the National Gambling Office in accordance with the Emergency Ordinance no. 77/2009 and this Decision, which gives its holder the right to organise traditional and remote games of chance in Romania;

k) "black list" – a document drawn up by the National Gambling Office, which includes the internet domains, as well as the individuals or legal entities who carried out or are carrying out connected activities in the domain of gambling without holding a licence in Romania;

l) specialised gambling premises – the main or secondary office registered by a gambling organiser in accordance with the legal provisions in force, where gambling and betting activities (NACE Code 9200) are carried out, in compliance with this Decision. Specialised premises are: casino halls, bingo halls, betting agencies, lottery agencies and specialised slot-machine venues, as presented in the decision;

m) Government Emergency Ordinance no. 77/2009 regarding the organization and operation of games of chance, approved with amendments and completions through Law no. 246/2010, as subsequently amended and supplemented – hereinafter GEO 77/2009;

n) payment processors:

(i) payment services providers defined by Government Emergency Ordinance No 113/2009 on payment services, as further amended and supplemented, approved with amendments through Law no. 197/2010, as subsequently amended and supplemented, including the payment services providers defined by Law No 127/2011 on the activity of issuing electronic money, as further amended and supplemented, who carry out payment activities in the field of gambling, and/or

(ii) organisers of traditional games of chance who carry out, in the name and on behalf of a remote gambling organiser, operations relating to depositing or withdrawing funds from the participant's game account, on the basis of a prior authorisation issued by the organiser of remote games of chance;

o) game rules – a set of rules, guidelines and procedures issued by the gambling organiser and approved by the Monitoring Committee of the National Gambling Office, which regulate the way in which gambling activities are carried out by the organiser and the participant. Any changes to the rules will only apply to the participants to the games after being approved by the Committee;

p) internal rules – a set of guidelines, rules and procedures applicable to a gambling organiser's activity, which stipulate the individual responsibilities and competencies of the employees involved in carrying out activities specific to games of chance. The internal rules will be structured into two parts, a general part, which will stipulate the compulsory provisions in accordance with labour legislation, and a special part, which will stipulate the individual responsibilities and competencies of the employees who are directly involved in gambling activities. The special part will be submitted for approval to the Monitoring Committee of the National Gambling Office. Any changes to the special part of the internal rules will be approved by the Monitoring Committee;

q) authorised representative – an individual/legal entity with the fiscal domicile/headquarters in Romania, who is explicitly mandated, on the basis of a contract concluded according to the law, to perform administration or maintenance actions in Romania and to represent before the national authorities, ex officio or upon request, a remote gambling organiser registered in another Member State of the European Union or another state that is a signatory of the Agreement on the European Economic Area or in the Swiss Confederation, who holds a licence to organise activities in Romania;

r) game server – an electronic system, made up of a hardware system and a software system, via which remote gambling activities as well as the activity relating to the storage of data corresponding to this activity are carried out.

s) safe server – an electronic system, made up of a hardware system and a software system, which is located at ONJN or within a licensed data centre, which stores, the data regarding the Romanian players or the ones who use a Romanian IP, the game data and financial transactions corresponding to the authorized remote games of chance in Romania, transmitted according to the technical procedure established through the Order of the NOG President and without the possibility to be modified by the licensed organizer of online games of chance in Romania.

ş) mirror server – an electronic system, made up of a hardware system and/or a software system, which is located at the ONJN or within a 2<sup>nd</sup> class licensed data centre that is capable to store and report/export centralized statements in accordance with the Order of the NOG President;



t) terminal located at ONJN - the electronic system composed of the hardware and/ or software system that must allow in a secured way the access to the central information system, to the safe server and mirror server for the verification/auditing of declarations and reported/transmitted data as well as of the data regarding statistic facts that concern the time of functioning and the services assured by the central, safe and mirror servers, according to the technical procedures established through Order of NOG President.

### **Article 3**

(1) To obtain the licence to organise and the authorisation to operate traditional and remote games of chance, the applicant economic operators are obliged to comply with the specific requirements stipulated by the Emergency Ordinance no. 77/2009 and these methodological norms for each type of game.

(2) If an economic operator intends to organise and operate two or more activities relating to traditional or remote games of chance, they are obliged to apply for a licence to organise and an authorisation to operate games of chance for each activity.

## **CHAPTER III GENERAL CONDITIONS FOR THE ORGANISATION AND OPERATION OF GAMBLING ACTIVITIES**

### **Article 4**

(1) Gambling activities in Romania will be carried out in compliance with the principles regarding the socially-responsible organisation of such activities.

(2) The Public Interest Foundation stipulated in Article 10(4) of the Emergency Ordinance will be set up in accordance with the legal provisions.

(3) Within the conditions of article 10 of GEO no. 77/2009, members of the Advisory Council attached to ONJN, who intend to be founding members of the foundation will express their intention to take part in its establishment, by a request addressed to ONJN leadership, within 10 working days from the date on which these methodological norms come into force.

### **Article 5.**

(1) Gambling activities may be operated directly by a gambling organiser, or jointly by a gambling organiser and one or more economic operators or individuals, on the basis of a contract which will be communicated to the NOG within 5 days from the date of conclusion.

(2) The *direct operation of activities* for which economic operators hold a licence to organise games of chance and one or more authorisations to operate games of chance means that the activities, which consist of the following actions: operating gaming equipment, documenting all money collected and payments made and filling in the documents

corresponding to the current activity, as well as other similar actions, will only be carried out by the gambling organiser's own employees, according to the law.

(3) The *joint operation of gambling activities* by two or more economic operators, of which at least one holds a licence to organise and an authorisation to operate such activities, means the set of actions carried out on the basis of a contract concluded in writing, which stipulates that at least one of the specific gambling activities consisting of operating gaming equipment, documenting all money collected and payments made and filling in the documents corresponding to the current activity, as well as other similar actions, will be carried out by the contractual partner in the name and on behalf of the gambling organiser.

(4) The responsibility for complying with the conditions for the organisation and operation of games of chance carried out under the conditions stipulated in paragraph 3 will lie with the gambling organiser and its contractual partner.

(5) In order to obtain the license to organize and/or authorization to operate, economic operators and their representatives shall observe the provisions of Law no. 677/2001 on the protection of individuals regarding the processing of personal data and free movement of such data, as subsequently amended and supplemented, and to expressly inform the players in this regard.

## **Article 6**

(1) Activities promoting gambling activities within national territory will be carried out by complying with the principles regarding the protection of minors and responsible participation in gambling. Promotional materials will not be placed inside or around educational, socio-cultural or religious institutions and will visibly state the interdiction for minors to participate in gambling, signposted by visual symbols, as well as the series and number of the licence to organise gambling activities and the NOG logo.

(2) Promotional actions, which consist of advertising, publicity or specific marketing activities, carried out by the organiser of games of chance at their own premises or on their own internet pages, will be permitted on the basis of the licence to organise and the authorisation to operate such activities, in compliance with the conditions stipulated in these methodological norms.

(3) Actions awarding bonuses to participants may only be promoted at the organiser's premises or on internet pages belonging to them or their affiliates, as well as by sending electronic messages to players with active accounts in their database, if the latter have given their prior consent to receive such messages.

(4) Insertion of the name of the operators of games of chance that are non licensed in Romania, their web pages or of their brands, in the content of any text, is permitted with the condition that the name, web page or brand that are used to be the at the same size as the text in which it is contained, without being possible the redirection towards any other internet page that is held by an operator of games of chance or via which advertising and publicity are made with respect to gambling activities.

(5) Actions promoting the commercialized goods and services, organised by any organizer of games of chance, carried out outside their premises or their web pages, which consist of awarding various financial or any type of winnings, to participants, and imply



methods of awarding prizes specific to gambling, as provided at art. 3 (3) from the Emergency Ordinance will be subject to approval by the National Gaming Office.

(6) The request for approval of the National Gambling Office will be accompanied by the rules for participation and for carrying out the activity or a description of the activity, as applicable, which will stipulate the number, nature and total value of the prizes awarded and the method used to determine the winners.

(7) The National Gambling Office may reject the request for approval of the promotional action if the name of the promotional action gives customers the idea to participate in a game of chance for which the organizer does not hold a license to organize and authorization to operate.

(8) The issuing of approvals stipulated in this article will be resolved by the Directorate of Authorization of Games of Chance from the National Gambling Office within 30 days from the date on which the full documentation is submitted.

#### **Article 7**

(1) In order to organise and operate games of chance, depending on the type of activity carried out, organisers are obliged to use means such as tokens, impulses, tickets and financial means which, within the meaning of the Emergency Ordinance no. 77/2009, constitute auxiliary gaming equipment.

(2) It will be permitted to use financial means and payment instruments used in the financial-banking system as payment instruments that enable the operation of games of chance, as provided by art. 5 Para. (5) from the emergency ordinance no. 77/2009.

(3) Gambling organisers may offer bonuses to the players, under any form, from their own funds, under the conditions stipulated in the game rules.

(4) Bonuses awarded by remote gambling organizers in order to be used for participation to the games shall be transferred solely into the player's game account and their withdrawal is not permitted. Any bonuses awarded will be highlighted separately from the player's other game funds that are available for withdrawal at any time.

(5) The bonuses granted are highlighted in a distinctive manner in the accountancy of the operator of remote games of chance and will be introduced, based on their use, in the income obtained from the games of chance of the licensed operator and are treated as participation fee to the game. The bonuses that are not used in the game are separately highlighted according to their destination or can be withdrawn by the organizers in accordance with the terms and conditions or rules on the basis of which are awarded .

#### **Article 8**

(1) Gambling organisers are obliged to ensure that the participants in games of chance have equal chances when playing equal stakes on the random elements characteristic to the gaming equipment used, or using elements of chance or skill of the players.

(2) Gambling organisers are obliged to make sure that all winnings or prizes won by the participants in the games of chance are distributed according to the provisions of Article 8(2), from the emergency ordinance no. 77/2009. The procedure established in the

game rules with regard to the homologation of results and/or validation of winnings, will take into account the compliance with the payment deadlines, as well as the legal provisions in force with regard to the calculation, the retention and payment of obligations relating to tax on gambling income, as stipulated in on the Fiscal Code, with its subsequent amendments and additions.

(3) Gambling organisers are obliged to keep a single record of the activities for which they have been authorised in accordance with the Emergency Ordinance no. 77/2009 and these methodological norms, including offers/ promotions addressed to the game participants, regardless of the type of these activities, as well as a record of the corresponding financial results, organised per tax domicile, regardless of the number of premises where the activity is carried out.

(4) Gambling organisers are obliged to explicitly stipulate in their internal rules that the access of minors to specialised gambling premises is prohibited. The prohibition for minors to participate in games of chance will be displayed in a visible place within the premises or, for remote games of chance, on the start page of the website through which the activity is carried out.

(5) Organisers are obliged to prohibit the access of minors to specialised gambling premises, gaming equipment or computer systems which enable participation in games of chance. Organisers may ask participants to show an identity document to help determine that they have the right to take part in the game of chance.

(6) It is prohibited to provide customers with devices for accessing remote gaming platforms in specialised locations where traditional gambling activities are carried out,

## **Article 9**

(1) To operate the activity, gambling organisers will only use gaming equipment for which they hold the usage or ownership right, acquired in compliance with the conditions provided by art. 21 Para. (3) letter b) from the emergency ordinance no. 77/2009 .

(2) The introduction of gaming equipment in Romania will be notified to the National Gambling Office at least 15 working days before this operation takes place. The declaration of intention to introduce the respective gaming equipment in Romania will include the following information:

- a) identification data of the person who holds the ownership or usage right over the gaming equipment;
- b) the legal operation on the grounds of which the assets are introduced in Romania;
- c) the place where the gaming equipment is to be stored until the date of its authorisation.

(3) The gaming equipment subject to authorization may be transferred or acquired, by case, for direct operation to/from another gambling organiser or an organiser undergoing a licensing procedure, according to the self-declaration, as well as to/from an economic operator that holds a Class 2 Licence for carrying out operations for the manufacturing, distribution, repair and maintenance of gaming equipment, as well as import, export, intra-Community purchase, intra-Community supply or other activities involving gaming components or equipment, according to the law.

The notification will contain the information provided at Annex 1.

(4) On the grounds of the licence to organise games of chance, the licence holder may import or perform intercommunity acquisition for the gaming equipment for operational purposes only, providing that they request the authorisation of such equipment within 6 months from its operation. If, after acquisition, the economic operator can no longer meet the conditions for requesting authorisation of the imported gaming equipment, or if the request for authorisation is rejected, the economic operator will be able to dispose of the respective gaming equipment only after the registration of the notification at the NOG. The notification will contain the information provided at Annex 2.

(5) Gambling organisers will notify the National Gambling Office about their intention to give up the operation of the gaming equipment for which they hold valid authorisations, at least 15 working days before the date stipulated for the cessation of its operation. The notification will include information provided at Annex 3.

(6) For the displacement of the gaming equipment, the organizers of games of chance will notify the National Office for Gambling with at least 5 days until the displacement.. The notification will contain information provided at Annex 4 and will be accompanied, by case, by the proof of registration of the premises, as point of work of the organizer , in which the activity will be performed, at the Office of Trade Register.

#### **CHAPTER IV .**

### **GENERAL PROVISIONS REGARDING THE LICENCE TO ORGANISE AND THE AUTHORISATION TO OPERATE GAMES OF CHANCE**

#### **Article 10**

(1) The licence to organise games of chance will be granted on an individual basis, is non-transmissible and will be valid for 10 years from its issue date, except for a licence to organise temporary games of chance, which will be valid for three months from its issue date. The template for the licences to organise games of chance is given in Annexes 5a) and 5b), and the list of documents is given in Annexe 6a)

(2) The authorisation to operate games of chance will be granted to economic operators who hold or simultaneously apply for a licence to organise gambling activities and will be valid for 12 months from its issue date, except for an authorisation to operate temporary games of chance, which will be valid for three months from its issue date. The template for the authorisation to operate games of chance is given in Annexes 5c) and 5d), and the list of documents is given in Annex 7.

(3) With the exception of the licence to organise and the authorisation to operate temporary games of chance, which may only be extended once, the licence to organise and authorisation to operate games of chance may be extended, upon request, for validity periods identical to the initial period providing that, prior to the expiry date, the organiser fulfils the conditions for their extension that are stipulated in these methodological norms.

(4) To enable the ONJN Monitoring Committee to issue their license/authorization decision, the organiser will have to submit to the General Directorate of Authorization of Games of Chance a copy of the document that proves the first payment, in any format - email, fax, paper medium.

At the submission of the application for obtaining the license and authorization, the organizer of games of chance can communicate in writing the email address where the communications from and to the Office shall be sent. The documents sent to this address are considered to be communicated to the organizer in the first business day following the day when the transmission has been performed

(5) The licence to organise games of chance and the authorisation to operate games of chance, as applicable, will be issued on condition that the economic operator submits documents which prove that the due fees have been paid in advance, as a certified copy, true to the original document. If the payment was made by bank clearing, a certified copy of the payment order will be submitted, along with the account statement, endorsed by the bank, which shows that the economic operator's account was debited with the respective sums of money. In case the discount provided by GEO no. 77/2009 is requested, the organizer shall submit to the General Directorate for Authorization of Games of Chance the document proving the payment made in advance for the fee related to the entire validity period of the authorization

(6) If, by the payment deadline, provided in the Decision of the Committee, economic operators do not prove that they have paid the fee for the licence to organise games of chance for the first year and the fees for the authorisation to operate games of chance payable, the approval of the license and/or authorization request will be rightfully revoked without the need for any additional formalities.

(7) If the approval of the license and/or authorization request date is after the start date of a quarter, for the authorisation to operate games of chance to be issued, the economic operators will pay the entire quarterly instalment of the fee corresponding to the authorisation. To maintain validity of the authorisation issued to them, organisers will have to comply with the deadlines stipulated in Article 14(2)b) of the Emergency Ordinance, as well as the amounts specified in the Annex to the Emergency Ordinance, the annual authorisation fee being adjusted in the last quarter of the validity period of the authorisation to operate games of chance.

(8) If the payment deadlines stipulated in Article 14(2) of the Emergency Ordinance fall on non-working days or legal holidays, the payment deadlines shall be prolonged until the end of the next business day.

#### **Article 11**

(1) The standard form having a special regime, namely the licence to organise and the authorisation to operate games of chance are documents printed with the National Gambling Office care, by the National Company "Imprimeria Nationala" - S.A. with safety elements that can prevent counterfeiting.

(2) The costs of printing the licences to organise and authorisations to operate games of chance, as well as those relating to the production of safety elements will be incurred by the National Gambling Office, from their budget.

#### **Article 12**

(1) Economic operators who hold a licence to organise and an authorisation to operate games of chance are obliged to keep these documents at the registered office, domicile or headquarters of their authorised representative and to display a copy of these documents in a visible place, within each premises where the respective activities are operated, on the

organiser's internet page or, for remote games of chance, on the internet page through which the activity is carried out.

(2) The original copy of the licence to organise and of the authorisation(s) to operate games of chance held by the economic operator will be submitted to the specialist bodies within the National Gambling Office and the National Agency of Fiscal Administration, via its subordinate units or via those of the Ministry of Internal Affairs, upon their request.

### **Article 13**

(1) Gambling organisers are obliged to declare to the tax authority until the payment term, the fees provided by the Government's Emergency Ordinance no. 77/2009, as follows:

- the access fee defined in Article 13(4)
- the fees provided at art. 14 (2;
- fees provided at art. 14 (4) for the temporary remote games of chance defined at art. 10 (1), letter p);
- vice fee for the slot-machine characteristic games of chance provided at art. 10, letter e), point (i) and (iii)

(2) A copy of the declaration stipulated in paragraph 1 or any other amendments of it and a copy of the related payment document will be sent to the National Gambling Office within 5 days from when the payment is made.

(3) The C.N. Loteria Romana (Romanian Lottery) has the obligation to declare at the fiscal body, until the payment term, the special fee provided at point 3, letter A from the Annex of the emergency ordinance and to transmit to the National Gambling Office, in electronic form, a copy of the declaration provided at para. (1) and the related payment document in term of 5 days , in at the date the payment.

## **CHAPTER V. . TYPES OF GAMES OF CHANCE**

### **Article 14.**

The activities for which a licence to organise and an authorisation to operate can be issued are the following:

#### **A. Traditional games**

- a) lottery games;
- b) betting activities, i.e. for any mutual, fixed-odds or matched betting activities;
- c) gambling activities characteristic to casinos;
- d) gambling activities characteristic to poker clubs;
- e) slot-machine-type activities, carried out via electronic devices offering winnings, ,via electronic devices offering limited-risk winnings and video-lottery games;
- f) bingo games taking place in gambling halls;
- g) bingo games organised via television network systems;
- h) temporary gambling activities, namely games of chance characteristic to casinos, slot-machine-type games of chance or bingo organised in halls, which are temporarily carried out in tourist resorts or on board recreational ships, as well as gambling activities characteristic to poker festivals organised in accommodation establishments or in other premises during a pre-determined period of time;
- i) tombola-type games.

B. Remote games:

- a) lottery games of chance;
- b) casino-type gambling activities carried out remotely, including slot-machine-type games;
- c) remote fixed-odds betting;
- d) remote mutual betting;
- e) remote matched betting;
- f) remote bingo and keno games;
- g) tombola-type games of chance.

C. Other gambling activities, new games or combinations of the gambling activities mentioned in this article.

***Section I. Traditional games***

**Paragraph I. Lottery games**

**Article 15.**

(1) Lottery games – a traditional game – are gambling activities organised in specialised premises called lottery agents, which comply with the conditions stipulated in Article 19 of these methodological norms, and in which the use of purely random outcomes of events consisting in the drawing of numbers, letters, tickets or any other symbols, regardless of the procedures used and of the characteristics of the equipment used to make the draw, may take place.

(2) The category of lottery games includes, without limitation, the following types of games:

- a) lottery games which consist in the purely random drawing of number, without being limited to these: 5/40; 6/49; 3/90; 5/55; 5/45 + 1/20 (JOKER), luck, luck plus, super luck;
- b) lottery games with numbers and/or symbols being purely randomly drawn in advance, without being limited to these: folded tickets, knurled tickets, stapled tickets, enveloped tickets, scratch cards, etc.
- c) passive lotteries which consist of the purely random drawing of tickets, numbers and/or ticket identification data, without being limited to these: Lottery Cross-Country Race; Lottery of Presents; Winter Holiday Lottery, Lotto Zodiac, etc.;

**Article 16**

Gambling activities relating to lottery-type games, a traditional game, will be organised and operated in Romania solely by the National Company "Loteria Romana" SA.

**Article 17**

The game rules used by the National Company "Loteria Romana" SA for the lottery-type games of shall be approved by the Monitoring Committee of the NOG..

**Article 18**

The National Company "Loteria Romana" SA may operate gambling activities which they are exclusively entitled to also on the basis of a contract concluded with other national lotteries, organizers of games of chance, natural or legal persons, the liability being attributed to the contracting parties.



### **Article 19.**

Gambling activities relating to lottery-type games - a traditional game - will be carried out in specialised premises, called lottery agents, i.e. commercial premises registered as secondary offices of the National Company "Loteria Romana", and of the contractual partners, which meet the following requirements:

- a) the surface area of the premises enables operation of the gambling activity, ensuring a suitable climate for the players;
- b) the area is set up separately from other economic activities, except the premises in which only instant tickets and participation tickets to the lotto games are commercialized
- c) at least one terminal for issuing gaming tickets is located inside the premises except the premises in which only tickets are commercialized. d) the access of minors on the premises of lotto agencies is prohibited;

## **Paragraph II. Betting-type games of chance**

### **Article 20**

Betting - a traditional game - is carried out according to the provisions stipulated in the organiser's game rules, approved by the Monitoring Committee of the National Gambling Office, inside specialised premises called betting agencies or in other specialized locations, as defined at art. 2, letter g) from the present norms, via betting terminals, in compliance with the conditions stipulated in these methodological norms.

### **Article 21**

(1) A betting agency is a specialised location used for betting activities - traditional games - such as mutual betting, fixed-odds betting or matched betting, in which at least one dependent betting terminal is operated and which meets all of the following conditions:

- a) the surface of the premises where the betting activity will take place will be of minimum 15 square meters according to the sketch presented at the authorization and will enable the installation of the minimum equipment stipulated in this article;
- b) the premises will be equipped with electronic devices which are exclusively used to display the information needed to enable participation in the game of chance, consisting of at least three monitors;
- c) the premises will be equipped with at least one dependent specialised terminal for issuing and registering bets, which will be operated by the organiser's personnel or the personnel of an economic operator engaged in a business relationship with the gambling organiser, a printer for issuing betting tickets or betting offers and a system for sending data to the central premises.

(2) The work schedule and volume established according to the individual employment contracts for the organiser's personnel or the personnel of the economic operator engaged in a business relationship with the gambling organiser, who carry out activities within the specialised premises, must cover the entire duration of the opening hours stated by the organiser.

(3) Betting terminals are electronic devices connected to the organiser's central electronic system, which are used to register the bets in the organiser's system, issue betting tickets and check the winnings in the database obtained by querying the central electronic system.

Depending on their operating method, betting terminals can be grouped in two categories:

- i) functional dependent terminals, which are operated by the organiser's personnel working within the betting agency or by the personnel of the economic operator who has a commercial relation with the organizer of games of chance who performs the activity in the specialized premises;
- ii) autonomous terminals, which are operated directly by the game participants.

(4) An autonomous terminal must comprise of at least the following constructive elements:

- i) a computer system which enables viewing of the offer, selection of the events, registration of the betting tickets, viewing of the events and checking of the winnings.
- ii) a banknote and/or coin acceptor or any other device used to accept the payment for participating in the game;
- iii) a printer for printing betting tickets.

(5) Games of chance will be operated directly within the agency via dependent or autonomous betting terminals or at premises specialised in gambling activities via autonomous terminals, providing that the activity is centralised and the results are reported through the respective work point or through a work point or betting agency belonging to the organiser, designated for collection operations, if the results homologation and winnings validation operations cannot be performed directly by the player by operating the terminal.

(6) The activities stipulated by the Emergency Ordinance and this Decision, may also be carried out inside a betting agency, providing that the conditions established for each activity are complied with and also economic activities of bar or restaurant - type, directly or indirectly performed by the organizer, in the support of the betting activity.

## **Article 22**

(1) The registration, storage, homologation and accounting computer system used by the organiser to ensure the unitary management of all activities relating to betting on future events, which do not involve the random generation of events, will not be considered game equipment, within the meaning of the Emergency Ordinance.

(2) The independent computer system which randomly generates events used in the organiser's activities will be issued with a certificate of compliance with the technical guidelines by or specialised firms.

(3) The centralizing informatics system will be connected to a terminal located at the National Gambling Office or in the location indicated by it, that will allow the access of the authority to the organizer's database containing, at the moment of the enquiry, information established through Order of the President.

(4) In case of the interruption of the connection between the specialized premises, the centralizing information system of the organizer, as well as the terminal located at the National Gambling Office, or in the location indicated by it, for periods longer than 2 days, the organizer has the obligation to suspend the agency's activity/ ,until the re-establishment of the connection and to prepare a minute-report of the incident, registered at the organizer and communicated to the Office.

### **Article 23**

(1) Operators of traditional betting games of chance must not provide excessive lighting for the entrance or premises where they operate gaming equipment, unless the entire building which houses the premises where the activities are carried out is provided with lighting, other than street lighting.

(2) Organisers may signpost their activities in compliance with the following conditions:

- a) enter the name of the organising company, the type of the activity at the entrance to the premises, on a board or a glass surface displayed at the premises, within the limit of 6 square meters;
- b) the board stipulated in paragraph (a) may be lit at an intensity which, at night, only allows the text written on it to be seen;
- c) it is prohibited to use flashing or strobe lights, as well as any other dynamic lighting devices.

(3) It is permitted to display advertising posters or materials in a visible place on glass surfaces in order to support customer information campaigns; the surface of each individual material must not exceed 1 square meter and the total surface area must not exceed 3 square meters.

### **Article 24**

(1) Business plan will be drawn up for the first year of activity and will be submitted by the economic operator only once, in order to obtain the first authorisation to operate the activity. The documentation will contain the following data: the total estimated income, the total costs broken down into main expenses, gross profit.

(2) If the income registered during the validity period of the operating authorisation exceeds the income estimated based on the documentation submitted on the date of authorisation, the annual authorisation fee owed will be recalculated starting from the first month when the estimated earnings are exceeded, by applying the percentage rate stipulated in the Emergency Ordinance to the income registered.

(3) If the operating authorisation is extended, the organiser will pay the authorisation fee by applying the corresponding percentage rate to the organiser's earnings, , for the month prior to the month when the documentation is analysed by the Monitoring Committee of the National Gambling Office.

(4) Primary accounting records will be kept on a daily and monthly basis , for each , for each authorized premises and for the entire society, on a form named "Situation of cash collection" that will be settled via the Order of the NOG President.

### ***A. Mutual betting – traditional game***

### **Article 25**

Mutual betting games - traditional games - are betting activities organised via gaming equipment located in Romania, which are carried out in specialised premises called betting agencies and which consist of the participant correctly indicating the outcome of future events, the organiser only being involved in the collection of participation fees and the allocation of the prize money, according to the provisions of the respective game rules.

## **Article 26**

Mutual betting activities - traditional games - are organised and operated in Romania, either in betting agencies or via autonomous terminals, by legal entities that hold a licence to organise and an authorisation to operate such activities, or in lottery agencies, by the National Company "Loteria Romana" SA, on the basis of the license to organize and authorization to operate issued by NOG

## **Article 27**

Organisers must provide the following information in their game rules: a description of the activity, the system used to certify and homologate the results, the system used to validate the winnings, the conditions in which the validation of winnings may be suspended by the organiser, the payment deadlines for the validated winnings, the control and security system and other defining elements of the respective activity. This information may only be subsequently amended with the approval of the Monitoring Committee of the National Gambling Office.

## **Article 28**

(1) The percentage rate of winnings from the total gross cash received will be at least 60 %, calculated for the validity period of the authorisation.

### ***B. Fixed-odd betting – traditional game***

## **Article 29.**

Fixed-odds betting - a traditional game - are betting activities organised and operated via gaming equipment located in Romania, which are only carried out in specialised premises called betting agencies or in other specialised locations, and which consist of the participant correctly indicating the outcome of future events or which are randomly generated by an independent computer system, the organiser being the one to establish the multiplication factors applicable to the stake in the event that the options played are declared wins, according to their own criteria, and to inform the participants about these.

## **Article 30**

(1) The game rules on the basis of which the activity is organised will include the following information: a description of the activity, the system used to certify and homologate the results, the system used to validate the winnings, the conditions in which the validation of winnings may be suspended by the organiser, the payment deadlines for the validated winnings, the control and security system and other defining elements of the respective activity. This information may only be subsequently amended with the approval of the Monitoring Committee.

(2) The percentage rate of winnings from the total gross cash received will be at least 60 %, calculated for the validity period of the authorisation.

### ***C. Matched betting***

## **Article 31**

Matched betting - a traditional game - betting activities which are only carried out in betting agencies or in other specialized locations and consist of correlating bets between players, namely accepting a bet proposed by an organiser only insofar as another player can be identified who is placing a bet contrary to the initial bet.

## **Article 32**

In exchange for the right to play, the organiser will charge the participants a commission fee, under the conditions stipulated in the game rules.

## **Article 33**

(1) The proposed initial bet will be recorded by the organiser, with the aim to identify a player within the agencies in Romania who is proposing or placing a bet contrary to the initial bet. If no bets placed contrary to the proposed initial bet can be identified within the period established by the organiser for registering the bets, the stake played by the participant will be refunded within 24 hours from the expiry date of the waiting period.

(2) The game rules on the basis of which the activity is organised will include the following information: a description of the activity, the bet registration system, the system used to certify and homologate the results, the system used to validate the winnings, the conditions in which the validation of winnings may be suspended by the organiser, the payment deadlines for the validated winnings, the control and security system and other defining elements of the respective activity. This information may only be amended with the prior approval of the Monitoring Committee.

## **Paragraph III. Games of chance characteristic to casinos**

### **Article 34.**

(1) Games of chance characteristic to casinos will take place in suitable premises called casinos, whose surface area and structure enables the installation of gaming equipment and other technical devices needed to carry out the activities, located in buildings intended for use as business premises or in hotels. The games of chance will be operated at special tables using specific gaming equipment, the activities being carried out either between participants and the organiser or directly between participants, the organiser having the obligation to ensure that the game rules are complied with.

(2) The phrase 'buildings intended for use as business premises' means buildings that were not built for residential purposes and did not acquire this intended use at a later date, by successive modifications or, if they had been built for residential purposes, this intended use was changed, as well as premises located in hotels with a classification of at least 3 stars, in compliance with the legal regulations in force.

(3) The activities of transmitting images with games of chance specific to casinos, that can be carried out in casinos as well as in other appropriate premises, named studios, where the performance of games of chance takes place at special tables, using specific gaming equipment and specialized staff, can be carried out only by operators that have to hold a 2nd class license issued by ONJN.

The transmission of images can be made live or, afterwards, recorded and can be used only by the licensed organizers of games of chance.

### **Article 35.**

The minimum requirements for specialised premises where casino-specific activities are carried out are:

- a) they are not located inside an educational establishment, including its related campuses, inside cultural, arts, health, social or religious establishments and any other similar premises, or within their grounds;
- b) they are not located in areas where their position would obstruct traffic or limit free access to other locations of public interest, such as: (building entrances, pedestrian walkways, public transport stops and stations, and other like these);
- c) the surface area of the premises will allow for the gaming equipment to be positioned in order to create a pleasant environment for the participants;
- d) they are furnished in compliance with the hygiene and sanitary guidelines, as well as prevention and firefighting regulations in force.
- e) they are fitted with a back-up electrical circuit. The emergency exit doors will be fitted with electrical lights that turn on in the event of a failure in the main electrical circuit which, within the meaning of these methodological norms, will constitute back-up electrical lighting circuit. These lights will be installed so that, when necessary, they ensure the protection and evacuation of players, casino staff and valuables. The organisation of casino-type activities will not be authorised in premises that are not fitted with a back-up electrical lighting circuit or where this circuit does not work adequately.
- (f) for the studios from which the images with games of chance characteristic to casinos are transmitted, they should: contain metrological verified gaming equipments, use only specialized staff, assure a secured transmission of images, to comply with the provisions stipulated at art. 36 paragraphs (3), (4), (5) and (8), art. 38 paragraphs (2) and (3), art. 39 and art. 53 from these methodological norm.

### **Article 36**

(1) In all casinos, all activities carried out in the gaming rooms, the cashier's desk and the reception must be monitored via a closed-circuit television system and be digitally recorded at all times, in a "non-stop" manner.

(2) The respective audio and video recordings will be organised per gaming table and per day, and will be kept in secure conditions for at least 30 calendar days. All recordings must include the date and time of events, entered in a way that does not obstruct visibility of the recording. Events consisting of complaints of players regarding the method in which the game has been performed, altercations between players or between players and organizer's personnel, fraud attempts of the game results and other similar incidents will be recorded in a register kept by the operators of the audio-video monitoring system; the police authorities and the National Gambling Office will be immediately notified of any illegal cases. The audio-video recordings made in these cases will be kept until the situations are clarified, by way of an exception to the period stipulated above.

(3) The audio-video recordings may be checked or collected for inspection by authorised individuals with control and verification duties within the National Gambling Office and by the police bodies, in order to perform verifications according to competencies.

(4) Video cameras will be located so that clear and useful images of the gaming tables, as well as of the entire premises, can be obtained.

(5) The images recorded at the gaming tables must contain the entire grid of the table, as well as the roulette wheel, including any tokens found next to the croupier and in the float-box, and must have a level of fidelity that allows viewing of certain details, namely: the colour of the tokens and the value of the banknotes, the placing of the tokens on the table grid, the



number of tokens in a column, as well as the way in which the entire credit and debit operations with value-bearing tokens are carried out at the tables during the games.

(6) The images recorded at the cashier's desk must enable viewing of the cashier's hands on the counter, as well as the colour, number and value of the tokens and banknotes, whilst the images recorded at the reception must enable viewing of the entire body or torso of all people who enter the casino.

(7) During the opening hours of the casino, the cashier's desk and the reception will be permanently monitored using fixed video cameras, their images being captured both on monitors and within the storage system.

(8) The activities carried out inside the casino will be subject to live monitoring and recording in colour.

(9) Optionally, economic operators may also equip the technical room with other devices and installations, such as: an image zooming device, devices for controlling the mobile video cameras, photographic cameras.

(10) If slot machines are also operated inside the casino, their activity will be monitored via a closed-circuit television system with overview images of the machines; audio and colour video recordings will also be made, in accordance with the provisions of paragraph 2 of this Article.

#### **Article 37.**

Casinos will be provided with basic and additional technical equipment, including cards and dice, in accordance with the provisions of this Decision.

#### **Article 38.**

(1) The internal rules for games of chance in which the random events are produced using dice or cards must contain compulsory provisions with regard to procedures and competencies relating to: furnishing, storage, internal movement, security and operating life, decommissioning, minimum and maximum equipment, standard procedures for the operation of these games, etc.

(2) For games of chance in which the random events are produced using dice, these will be stirred and launched using a cup, urn or hand. If the dice are rolled by hand, the game rules will specify that the throw is only valid if the dice touch at least one wall of the gaming table and roll after hitting the wall.

(3) The dice will be made of materials with the hardness required by the gaming surface, i.e. bone, plastic, ebony, ivory, metal or other materials, and will have perfectly equal sites with dimensions between 20 mm and 25 mm; they will be perfectly balanced and bear the logo or name of the casino inscribed on one of the sides. The requirement that the sum of the points entered on opposite sides of a die should be equal to number seven will be complied with.

#### **Article 39**

(1) Roulette wheels will be manufactured by companies specialised in this field. The tables will be equipped with two double-lock boxes which, outside of working hours, will remain open on the gaming tables.

(2) Roulette wheels will be provided with an original serial number or a number allocated by the technical inspector, which will be the same on the bowl and the rotor.

(3) Outside of working hours, roulette wheels will be protected using a cover that allows them to be closed and sealed.

(4) Tables used for games of chance in which the random elements are produced using dice or cards will be provided with a serial number (a number which enables their identification within the premises) which is allocated by the organiser and is unique within the casino; this serial number will be positioned so that their clients can see it. The layout of all the tables inside the casino will be individualised by entering the serial number allocated to each table on the layout diagram, which will also specify the original serial number or the number allocated by the technical inspector for each roulette wheel.

#### **Article 40.**

(1) In order to participate to the games, casinos may receive, for safe-keeping, sums of money, in lei or foreign currency, belonging to the clients, either in cash or by transfer from the player's bank account.

(2) These will be kept in designated safes located in the cashier's office in the gaming hall or in separate accounts held by the organiser, other than those used for the casino's everyday operations; the procedure for receiving and handing over this money, on the basis of documents, will be completely separate from the casino's cash flow and accounts, and will be kept and archived according to the legal provisions in force. A record of these sums of money will be kept for each depositor, on the basis of an account record for miscellaneous operations, where all operations carried out by the latter will be entered. Collection and payment orders will be drawn up for all these operations and will be signed by the cashier for the sum of money paid or collected; the orders must also be signed by the depositor, who is the only person who may use the respective sums.

(3) If, for objective reasons, the account holder cannot liquidate the existing balance, the operation may only be carried out by their proxy, mandated by an authenticated document, or by their heirs,.

#### **Article 41**

(1) The setting up, modification or liquidation of the deposit in order to exchange the sums of money temporarily deposited by the participant for tokens that enable them to participate in a game will be recorded separately.

(2) The sums of money obtained from gambling will be paid by transferring them, in cash or by other permitted means of payment, from the organiser to the participant.

#### **Article 42**

(1) The tips collected from the tables will be counted and the tables will be opened and closed in the presence of the hall manager and the cashier, who will fill in the corresponding documents - receipts or orders - and sign them; these operations will be monitored and recorded via an audio-video system.

(2) All operations for crediting or debiting the gaming tables, as applicable, during matches will be carried out in the presence of the hall manager and the employees working at the table, who will fill in the corresponding documents - receipts or orders - and sign them along with the cashier and a representative of the operating personnel working in the video monitoring room; these operations will be monitored and recorded via a video system.

#### **Article 43**

Casino activities, i.e. equipping the tables, checking the equipment, temporary discontinuing the table activities, closing the tables, counting the tips and recording the stocks of tokens, will be organised in compliance with the internal rules - the special part, of the casino. An identical copy of the document approved by the Monitoring Committee of the National Gambling Office will be permanently kept at the premises of the casino and will be presented to the gaming participants and, upon request, the control bodies.

#### **Article 44**

(1) To operate their activity, organisers of casino-type games of chance may only use tokens inscribed with the casino organiser's logo. Organisers are obliged to keep accurate records of the origin, registration, storage, movement and decommissioning of the tokens. The registration, movement and decommissioning of the tokens, cards and dice will be stipulated in the internal rules - the special part - of the casino.

(2) tokens may be purchased from the cashier's desk or the gaming tables, in lei or foreign currency, and may only be exchanged at the cashier's desk.

#### **Article 45.**

Organisers will stipulate in the internal rules - the special part, without limitation, all of the details relating to organisation, the number of tables and machines, employment conditions, specialisation, organisation of accounting records, the movement of documents, the signatures required on each document, the method for admitting clients, the monitoring and security conditions, the movement of tokens and money on the basis of supporting documents only.

#### **Article 46**

(1) The casino staff present in the hall are prohibited from transporting tokens or money within the casino premises in conditions other than those stipulated in the casino's internal rules.

(2) The casino's internal rules may only stipulate those situations in which such transport of tokens or money is justified by the need to maintain the good operation of the casino activities.,

#### **Article 47**

The personnel appointed to perform the transport of values and highlight such operation shall be expressly indicated within the internal rules of the casino..

#### **Article 48**

During working hours, the members of personnel who work in the gaming hall, i.e. croupiers, table inspectors, cashiers, waiters, etc. must wear pocketless uniforms.

#### **Article 49**

(1) The organisers of games of chance specific to casinos will only allow participants to access the premises where the gambling activities are carried out on the basis of an entry ticket valid for 24 hours, with the value stipulated in the Emergency Ordinance.

(2) Organisers will keep records of all players accessing the casino premises in electronic format only.

(3) The access records will contain the participants' identification data, consisting of at least their name and surname, date and place of birth, as well as the document, number and series of the valid legal identity documents presented by the holder.

(4) Organisers are obliged to prevent any individuals who are not carrying the above-mentioned identity documents from accessing the premises, except the persons who are registered in the system of records of entrances.

(5) The organiser's databases which record the players' access to the casino premises will be archived by the organiser and be kept for at least 6 years. Organisers are obliged to make these databases available, upon request, to the inspection personnel within the National Gambling Office, the personnel within the National Office for the Prevention and Control of Money Laundering and police authorities.

#### **Article 50.**

(1) Organisers will have the right to prohibit, by means of internal decisions, access to the casino to any individuals who, through their inappropriate behaviour, disturb the good conduct of the activity.

(2) The lists of individuals who have been declared to be undesirable by means of internal decisions of casinos will be forwarded to ONJN, along with the reasons for this measure, within five working days from the date on which they are drawn up or amended.

#### **Article 51**

(2) Primary accounting records will be kept on a daily and monthly basis, for each gaming table, and for the entire authorized premises by filling in a special registry named "Cash collection situation" that will be settled via the Order of the NOG president,

#### **Article 52**

(1) Organisers are obliged to appoint a member of the executive management to be responsible for ensuring compliance with the authorisation requirements and to inform the Committee about this; this person will have responsibilities relating to:

- a) development of internal policies, procedures and control, to ensure that high standards are enforced when employing personnel;
- b) organisation of ongoing professional training programmes;
- c) implementation of control procedures for testing the verification, registration and security system.

(2) The executive management are obliged to establish, through the person stipulated in paragraph 1 or another person or structure, adequate policies and procedures for knowing the client base, reporting, keeping secondary or operative records, internal control, risk

evaluation and management, conformity and communication management, as well as for preventing and blocking any operations suspected to be related to money laundering or the financing of terrorism, whilst making sure to provide employees with adequate training in this field.

(3) A request will be submitted to the County Police Inspectorate/Bucharest General Directorate of Police with jurisdiction over the area where the casino is located, to issue conformity approvals for the associates and administrators

#### **Article 53**

(1) For the purpose of granting the authorisation to operate games of chance characteristic to casinos and to present the documentation at the Monitoring Committee, a team of at least three specialists comprising of representatives of the National Gambling Office and the Ministry of Internal Affairs will travel to the premises and draw up an inspection report documenting whether the authorisation requirements are complied with.

(2) The inspection report will be signed by all the members of the team and the representative of the economic operator being inspected, and will be submitted to the Monitoring Committee of the National Gambling Office.

#### **Article 54**

(1) Organisers of casino-type games of chance may reduce or supplement the number of special gaming tables, on condition that they obtain the prior approval of the Monitoring Committee of the National Gambling Office.

(2) This approval will be granted if the documentation for the respective gaming equipment is submitted, if the corresponding fees are paid under the conditions and in the amounts stipulated by the Emergency Ordinance and this Decision, and if the collateral pledged by the economic operator is increased accordingly.

#### **Article 55.**

Organisers will notify the National Gambling Office about any changes to the plan for laying out the gaming equipment within the premises at least five days before the changes become operational, making sure to also submit the amended plan.

### **Paragraph IV. Poker clubs**

#### **Article 56**

Games of chance characteristic to poker clubs will be carried out in specialised premises, where the gambling activities take place at special tables specific for the game of poker, using specific game equipment. The games of chance will take place directly between the participants, the organiser being obliged to ensure compliance with the game rules, as approved by the Monitoring Committee of the National Gambling Office.

## **Article 57**

(1) Games of chance characteristic to poker clubs may performed in suitable premises, which surface and structure permits to place the gaming means and the other technical means necessary for performing the activity, located in buildings built to be used as commercial spaces or hotels. Operation of games of chance is conducted at specialized tables, by using specific gaming means, the activity being performed between the participants. The organizer is bound to assure the observance of the game rules.

(2) The phrase buildings used as commercial spaces' means buildings which were not built to be used as dwellings or did not acquire this capacity at a later date, due to successive alterations, or, in the case such buildings were used as dwellings, the use has been modified into commercial space, as well as premises located in hotels having a minimum two stars classification, according to the law

## **Article 58**

Games of chance characteristic to poker clubs may only be organised and operated inside premises which are registered by the gambling organiser at the National Trade Register Office as a main or secondary office.

## **Article 59**

The organisers of games of chance specific to poker clubs will only allow participants to access the authorised premises on the basis of an entry ticket valid for 24 hours, with the value stipulated in the Emergency Ordinance.

## **Article 60**

The minimum requirements for premises where activities specific to poker clubs are carried out are:

- a) they are not located inside an educational establishment, including its related campuses, inside cultural, arts, health, social or religious establishments and any other similar premises, or within their grounds;
- b) they are not located in areas where their position would obstruct traffic or limit free access to other locations of public interest (building entrances, pedestrian walkways, public transport stops and stations, etc.);
- c) the surface area of the premises will allow for the gaming equipment to be positioned in such a way to create a pleasant environment for the participants;
- d) they are located and equipped in compliance with the legal requirements relating to fire prevention and fire fighting.
- e) they are furnished in compliance with the hygiene and sanitary guidelines in force.
- f) they are fitted with a back-up electrical circuit. The emergency exit doors will be fitted with electrical lights that turn on in the event of a failure in the main electrical circuit. These lights will be installed so that, when necessary, they ensure the protection and evacuation of players, casino staff and valuables.

## **Article 61**

In all poker clubs, all activities carried out in the gaming rooms must be monitored via a closed-circuit television system and be digitally recorded at all times, in a "non-stop" manner, according to the following conditions:

- a) the respective audio-video recordings will be kept, in secure conditions, for at least 30 calendar days. All recordings must include the date and time of events. Any unusual incidents



or events will be recorded in a register kept by the operators of the video monitoring system; the National Gambling Office and police authorities will be immediately notified of any illegal cases. The audio-video recordings made in these cases will be kept until the situations are clarified;

b) the audio-video recordings may be checked or collected for inspection by authorised individuals with control and verification duties within the National Gambling Office and by the police bodies, in order to perform verifications according to competencies.

c) video cameras will be located so that clear and useful images of the gaming tables, as well as of the entire premises, can be obtained;

d) during the opening hours of the poker club, the cashier's desk and the reception will be permanently monitored using video cameras, their images being captured both on monitors and within the storage system.

#### **Article 62**

(1) Poker clubs will be provided with basic and additional technical equipment, including cards and value-bearing tokens inscribed with the organiser's logo.

(2) Value-bearing tokens may be purchased from the cashier's desk or the gaming tables, in lei or foreign currency, and may only be exchanged at the cashier's desk.

(3) The game rules and the internal rules - the special part - of the organiser must contain compulsory provisions with regard to procedures and competencies relating to: furnishing, storage, internal movement, minimum equipment, standard procedures for the operation of the games.

#### **Article 63**

For the purpose of granting the authorisation to operate games of chance characteristic to poker clubs and present the documentation to the Monitoring Committee, a team of at least three specialists comprising of representatives of the National Gambling Office and the Ministry of Internal Affairs will travel to the premises and draw up an inspection report documenting whether the authorisation requirements are complied with. The inspection report will be signed by all the members of the team and the representative of the economic operator being inspected, and will be submitted to the Committee.

#### **Article 64**

A record of these sums of money of the player and used for playing will be kept for each depositor, on the basis of an account record where all operations carried out by the latter will be entered. Collection and payment orders will be drawn up for all these operations and will be signed by the cashier and the player, who is the only person who may use the respective sums.

#### **Article 65**

(1) The activities carried out in poker clubs, i.e. equipping the tables, checking the equipment, temporarily discontinuing the table activities, closing the tables, counting the tips and recording the stocks of tokens, will be organised according to the internal rules - the special part, as approved by the Monitoring Committee of the National Gambling Office.

(2) An identical copy of the document submitted to the Committee will be permanently kept at the premises of the club and will be presented to the gaming participants and, upon request, the control bodies.

(3) Organisers are obliged to stipulate in the internal rules - the special part - without limitation, all of the details relating to organisation, the number of tables, employment conditions, specialisation, organisation of accounting records, the movement of documents, the signatures required on each document, the method for admitting clients, the monitoring and security conditions, the movement of tokens and money on the basis of supporting documents only.

#### **Article 66**

(1) During working hours, the members of personnel who work in the gaming hall must wear pocketless uniforms.

#### **Article 67**

Tips collected from the tables will be counted and the tables will be opened and closed in the presence of the hall manager and the cashier, who will fill in the corresponding documents - receipts or orders - and sign them; these operations will be monitored and recorded via an audio-video system.

#### **Article 68**

(1) Organisers will keep records of all players accessing the poker club premises in electronic format only. The access records will contain the participants' identification data, consisting of at least their name and surname, date and place of birth, as well as the document, number and series of the valid legal identity documents presented by the holder.

(2) The organiser's databases which record the players' access to the poker club premises will be archived by the organiser and be kept for at least 6 years. Organisers are obliged to make these databases available, upon request, to the inspection personnel within the National Gambling Office, the personnel within the National Office for the Prevention and Control of Money Laundering and police authorities.

#### **Article 69**

(1) Primary accounting records will be kept on a daily and monthly basis, for each game table and for the entire authorized location, by filling in the special registry named " cash collection situation" that will be settled via the Order of the President of NOG

### **Paragraph V. Poker tournaments**

#### **Article 70**

Poker tournaments are periodic activities consisting of poker games which take place exclusively between the participants; they may also be organised by the holders of a licence to organise and an authorisation to operate games of chance characteristic to casinos and poker clubs in locations for which the organizers hold the authorization to operate other than those declared when the authorisation was issued, providing that these meet the minimum requirements for carrying out the activities, using special tables and specific gaming equipment characteristic to poker games, as stipulated in this Decision.

#### **Article 71**

(1) The maximum permissible duration of a poker tournament organised outside of authorised premises will be seven calendar days. A maximum of six poker tournaments may

take place during the validity period of the organiser's authorisation. A maximum of 199 participants may take part in a poker tournament.

#### **Article 72**

(1) Gambling organisers who organise poker tournaments are obliged to notify the National Gambling Office, at least 30 days before the tournament, about the premises, organisation period, participation fee, prizes awarded and period during which the tournament will take place.

(2) During poker tournaments, all activities will be carried out in accordance with the provisions stipulated in the game rules for the tournament, which must include provisions regarding the types of games that can be organised, the number of tables used, the conditions for participation and the conditions for awarding the winnings.

(3) Any amendment to the game rules will come into force on the date of its approval by the Monitoring Committee of the National Gambling Office. An identical copy of the document approved by the Committee will be permanently kept at the premises and will be presented, upon request, to the control bodies.

(4) Different poker tournaments may be organised as part of an event, providing that their total duration does not exceed the maximum duration established for the event.

#### **Article 73**

(1) The activities carried out during a poker tournament, the accounting records, etc. will be organised in accordance with the provisions stipulated in the internal rules - the special part - in accordance with of the law - of the organiser, as approved by the Monitoring Committee of the National Gambling Office. An identical copy of the document approved by the Committee will be permanently kept at the premises and will be presented, upon request, to the control bodies.

(2) Organisers will only allow players to take part in poker tournaments on the basis of a valid identity document, and will keep a record of all players accessing the premises where the activities are carried out in electronic format only, using specialised computer programmes.

(3) The organiser will ensure that the game access records contain at least information about the name and surname, date and place of birth, as well as the type, number and series of the identity document presented by the participant.

(4) The computer programmes used to keep a record of the players' access will also ensure that the participants are allocated to gaming tables in a random manner.

(5) Organisers will only carry out money collection and payment operations relating to the activity via cash collection points that are equipped with at least one safe for storing valuables and a computer system for keeping a record of the money paid and collected during the event.

(6) Primary accounting records will be kept on a daily and monthly basis, for each game table and for the entire authorized location where the poker tournament takes place, by filling in the special registry named " cash collection situation" that will be settled via the Order of the President of NOG.

## **Paragraph VI. Slot-machine-type games**

### **Article 74**

(1) Slot-machine-type gaming activities will be organised, depending on the situation, in specialised premises or separate areas set up inside premises used for business activities, other than those regulated by the Emergency Ordinance and this Decision, with the participants being physically present, via specific gaming equipment.

(2) Slot-machine-type of games can be grouped into three categories:

- i) slot-machine-type games with unlimited stakes and winnings;
- ii) slot-machine-type games played via electronic devices offering limited-risk winnings.
- iii) Video lottery or VLT- gaming activities that are carried out via specialized terminals, and that function only connected to the central server, this being the one that generates the randomly winning element the result of the participation to the game being relevant to the player via the video lottery terminal, the dexterity or the ability of the player not having any influence/relevance in obtaining the winning. The video lottery game is being performed via an unitary network of terminals with closed circuit that functions only connected on-line to central national level system. The validation and payment of the winning do not involve the terminal used by the player.

(3) The minimum number of pieces of gaming equipment that may be operated by the same economic operator will be 75 electronic devices with unlimited stakes and winnings and/or electronic devices offering limited-risk winnings, including gaming stations or terminals constituted as a single entity.

(4) The performance within the same premises is allowed for two or various one categories of slot machine type of game, only if each premise is distinctively demarcated within the location.

### ***A. Slot-machine-type of games with unlimited stakes and winnings***

### **Article 75**

(1) The gaming equipment included in the category of slot-machine games with unlimited stakes and winnings will consist of specific machines, equipment and installations assembled by design into a single unit via which random elements are independently generated without involving the organiser in any way or by any means, the outcome being revealed to the player by the gaming terminal and the value of the stake played being established by the participant in compliance with the game rules.

(2) The gaming equipment included in the category of slot-machine-type games with unlimited stakes and winnings are:

- a) gaming equipment that is built within a single unit and allows a single participant to access the game from a single gaming station/terminal;
- b) gaming equipment that is built within a single unit and allows participants using at least two gaming stations/terminals to access the game simultaneously.

(3) The gaming equipment proposed for authorisation will be allocated to the category of slot-machine-type games with unlimited stakes and winnings by the Monitoring Committee of the National Gambling Office on the basis of type approvals or on the basis of certificates which confirm that a periodic technical inspection was carried out, issued by conformity assessment bodies.

## **Article 76**

(1) Gambling activities involving slot-machine-type games with unlimited stakes and winnings may only be carried out in dedicated slot-machine halls and betting agencies, in accordance with the conditions stipulated by the provisions of Article 15(6) of the Emergency Ordinance and the minimum requirements established in accordance with this Decision.

(2) Dedicated slot-machine halls are business premises which are registered by the gambling organiser at the National Trade Register Office as a main or secondary office, and which meet all of the following conditions:

- a) they are not located inside an educational establishment, including its related campuses, inside cultural, arts, health, social or religious establishments and any other similar premises, or within their grounds;
- b) they are not located in areas where their position would obstruct traffic or limit free access to other locations of public interest, such as building entrances, pedestrian walkways, public transport stops and stations;
- c) they are located and equipped according to the legal requirements relating to fire prevention and fire fighting;
- d) they are furnished in compliance with the hygiene and sanitary guidelines in force;
- e) they provide an environment that is suitable for carrying out the activities in good conditions, without disturbing the peace and public order, in accordance with the legal provisions in force.

(3) Other economic activities may also be carried out in dedicated slot-machine halls, including those stipulated by the Emergency Ordinance and this Decision.

(4) Slot-machine-type gaming equipment with unlimited stakes and winnings may be located in premises where a specialised location for carrying out activities characteristic to casinos is also set up, providing that the minimum number of gaming equipment installed in dedicated halls or betting agencies, as well as the maximum number of gaming equipment, stipulated in the Emergency Ordinance is complied with.

## **Article 77**

(1) Slot-machine gaming equipment with unlimited winnings will be identified by visibly marked identification plates inscribed with the type of the machine, the manufacturer, the series and the year of manufacture.

(2) If the manufacturer of the gaming equipment did not install individual identification plates or the plates installed by the manufacturer are damaged so that the identification data can no longer be recognised, before applying for authorisation for the respective gaming equipment, the organiser is obliged to ensure that such plates are applied and contain the identification data provided by the manufacturer.

## **Article 78**

(1) Slot-machine-type gaming equipment with unlimited stakes and winnings must be fitted with non-resettable electro-mechanical counters that can display numbers consisting of at least six digits, which will record the participation fees collected by the organiser, as well as the payments made to players.

(2) The gaming equipment used to carry out gambling activities involving slot machines with unlimited stakes and winnings must be connected via a serial standardized communication protocol that will not use analogical signals taken from the signal generator for the electro-

mechanic counter, to a centralised computer system according to the Order of the ONJN President

(3) The centralised computer system will be connected to a terminal located at the National Gambling Office or at the premises specified by the Office, and will enable the authority to access the organiser's database which, at the time of querying, contains the information regarding the total participation fees collected daily, total prizes awarded daily, as well the evidence of terminals interconnected within the system, their number and address where are operated.

(4) If the connection between the gaming equipment, the organiser's centralised computer system and the terminal located at the National Gambling Office, or at the premises specified by the Office, is interrupted for longer than two days, the organiser is obliged to suspend the operation of the gaming equipment until the connection is resumed and draw up an incident report registered by the organiser and notified to ONJN.

(5) The gaming equipment will be identified in the computer system located at the National Gambling Office, or the premises specified by the Office, by the latest at the date of entry into force of the authorization to operate.

(6) Gaming equipment will only be moved to the organiser's premises after notifying the National Gambling Office in advance, according to the provision of art. 9, paragraph 6 from this decision. The gaming equipment will be disconnected/connected from the centralised computer system and will be made in the day of removal/putting into function of the gaming equipment. The gaming equipment moved to the new premises will not be operated by the organiser until it has been connected to the centralised computer system.

#### **Article 79**

(1) Slot-machine-type gaming equipment with unlimited stakes and winnings will be operated according to the game rules and the internal rules - the special part - which will explicitly stipulate the obligations and responsibilities of each individual who is directly involved in the activities.

(2) Primary accounting records will be kept for each slot-machine-type game and jackpot-type gaming system, as applicable, on a daily basis, by filling in the special registry named "The daily cash collection situation" that will be settled by the Order of the NOG President.

(3) On the last day of every month, the sums of money collected will be centralised according to the template named "The monthly cash collection situation" that will be settled by the Order of the NOG President.

#### **Article 80**

(1) Organisers who operate slot-machine-type gaming equipment with unlimited stakes and winnings in dedicated slot-machine halls are obliged to cover all glass surfaces, or any other such surfaces, with panels, decals, etc. which:

- (i) prevent viewing of the activities carried out within the respective premises;
- (ii) do not suggest gambling activities by using images, text or other symbols.

(2) The organisers stipulated in paragraph 1 may signpost their activities in compliance with the following conditions:



- a) to enter the name of the organising company, the name of the activity or other text that the organisers deem to be relevant at the entrance to the premises where the games of chance are operated, on a board or a glass surface displayed within the grounds of the premises, within the limit of 6 square metres ;
- b) the board stipulated in Subparagraph (a) may be lit at an intensity which, at night, only allows the text written on it to be seen.
- c) it is prohibited to use coloured, flashing or strobe lights, as well as any other dynamic lighting devices.

(3) It is permitted to display advertising posters or materials in a visible place on glass surfaces in order to support customer information campaigns; the surface of each individual material must not exceed 1 square metre , and the total surface area must not exceed 3 square metres .

(4) Organisers who operate slot-machine-type gaming equipment with unlimited stakes and winnings within premises other than dedicated halls may signpost their activities in compliance with the same conditions as those stipulated for dedicated halls.

### ***B. Jackpot-type systems***

#### **Article 81**

(1) Organisers of slot-machine-type games of chance, except the electronic devices awarding limited- risk winnings may interconnect the video lottery gaming equipment or slot-machine-type gaming equipment with unlimited stakes and winnings, for which they hold an authorisation to operate games of chance within a jackpot-type system, to randomly award additional winnings to the gaming participants.

(2) The following conditions must be cumulatively fulfilled for the organisation of jackpot-type systems:

- a) the gaming equipment is connected via a unique centralised computer system held by the organiser, with the obligation to notify ONJN about the parameters for allocating additional winnings;
- b) the jackpot system is organised via a specialised computer programme, which generates the random algorithm for awarding winnings to participants in an independent manner, without intervention by the organiser.

#### **Article 82**

(1) The sums of money from which jackpot winnings are awarded will be displayed (jackpot board) via an electronic system which interconnects at least two pieces of gaming equipment; the money accumulated or the fixed-amount jackpot prizes will be displayed by auxiliary devices or within the system of one of the pieces of gaming equipment interconnected within the system.

(2) For jackpot winnings whose amount exceeds the equivalent in lei of euro 15 000, the gaming equipment will be locked and the winnings will not be automatically transferred into the credit position of the equipment; the transfer will take place after a report certifying that the payment was made is drawn up.

(3) Organisers of jackpot-type systems will notify the specialist department within the National Gambling Office before starting the activity for each individual system. The notification must include the following information: the defining parameters of the random algorithms for awarding winnings, the maximum possible amount of the winnings, the serial numbers of the gaming equipment interconnected within the system and its location; for fixed-prize jackpot, the notification must include information about the value of the prize and the conditions in which it is awarded. Any changes to the initial conditions for operating a jackpot system will be notified to ONJN before they are implemented. The template for this notification is given in Annex 8 of this decision.

(4) Putting in function of a new jack-pot system can be made at the earliest in the calendar day that follows the one in which the organizer notified this fact to NOG.

### ***C. Slot-machine-type games played via electronic devices offering limited-risk winnings***

#### **Article 83**

Electronic devices offering limited-risk winnings are specific machines, equipment and installations assembled by design into a single unit via which random elements are independently generated without involving the organiser in any way or by any means, the maximum amount of winnings that can be obtained by participating in the game of chance being limited.

#### **Article 84**

(1) Slot-machine-type gaming activities performed via electronic devices offering limited-risk winnings may only be carried out within premises where other economic activities are also carried out if the gaming equipment is located, organised and operated in a separate area within the premises and if access to the gaming equipment is prohibited to minors.

(2) Electronic devices offering limited-risk winnings will bear, in a visible place on their front, a label with the text: "Limited-risk game of chance". The label will be at least 200/100 mm in size.

(3) Electronic devices offering limited-risk winnings will only be authorised if they meet all of the following conditions:

a) The maximum permitted stake for one game is 2 Ron;

b)

The maximum winning is of 1000 RON per each distinctive game. Through distinctive game (spin) it is understood any individual generation of random elements of symbols from the winning table of the game program, at any level of the game (basis game or bonus games);

c) Minimum payout percentage (Bet/Win): 85 %, in compliance with the Technical Inspection Certificate issued by conformity assessment bodies;

d) The maximum credit obtained by the player is Ron 1 000; when this value is reached, the machine locks until the winnings are cashed in;

e) Maximum RON 1 000 possible winnings for a risk game (doubling).

(4) Electronic devices offering limited-risk winnings will not allow for the settings to be changed by re-setting or via an external device in order to modify the value of the parameters mentioned in paragraph 3.

(5) The gaming equipment used to carry out the activities will be connected, via unique computer programmes run by the organiser, to the centralised computer system, within which the following will be documented: each piece of gaming equipment being operated, the premises where it is operated, the total amount of participation fees collected by the gaming equipment on a daily basis, the total amount of money paid out by each piece of gaming equipment on a daily basis.

(6) The centralizing computer system will be connected to a terminal situated at the National Office for Gambling or at the premises specified by the Office, which will enable the authority to access the organiser's database containing the following information: the total amount of participation fees collected by the organiser on a daily basis, the total amount of money paid out by the organiser on a daily basis and the address where each piece of gaming equipment is located, the value of each stake played.

(7) If the connection between the gaming equipment, the organiser's centralised computer system and the terminal located at the National Gambling Office, or at the premises specified by the Office, is interrupted for longer than two days, the organiser is obliged to suspend the operation of the gaming equipment until the connection is resumed and to draw up an incident report registered by the organiser and notified to ONJN.

(8) The gaming equipment will be identified in the computer system located at the National Gambling Office by the latest at the date of entry into force of the authorization.

(9) Gaming equipment will only be moved between the organiser's premises after notifying the National Gambling Office in advance, according to the provisions of art. 9, paragraph (6) from this decision. The gaming equipment will be disconnected/connected from the centralised computer system in the day of removal from function/putting into function of the gaming equipment. The gaming equipment moved to the new premises will not be operated by the organiser until it has been connected to the centralised computer system.

(10) The values of electronic devices of limited-risk winnings, provided at paragraph (3) from the present article, can be amended via the Order of the NOG President.

## **Article 85**

(1) Games of chance which take place via electronic devices offering limited-risk winnings will be operated according to the game rules and the internal rules - the special part, which will explicitly stipulate the obligations and responsibilities of each individual who is directly involved in the activities.

(2) Primary accounting records will be kept for each slot-machine type of game and jack-pot system, on a daily basis, according to the template named "The situation of daily cash collection" that will be settled via the Order of the NOG President.

(3) On the last day of every month, the sums of money collected will be centralised according to the template named "The situation of daily cash collection" that will be settled via the Order of the NOG President.

(4) Organisers who operate slot-machine-type gaming equipment via electronic devices offering limited-risk winnings are obliged:

- a) to not advertise gambling activities within the premises where they carry out these types of activities;
- b) to cover all glass surfaces, or any other such surfaces, with panels, decals, etc. which:
  - (i) to prevent viewing of the activities carried out within the respective premises, if the gambling activities are visible from outside the premises;
  - (ii) to not suggest gambling activities by using images, text or other symbols.

D. Video - lottery games  
Art. 86

(1) Video lottery terminals may be interconnected within a jackpot-type system so that additional winnings can be randomly awarded to the individuals participating in the game at that moment from the sums of money obtained by adding a separate percentage rate of the sums circulated as part of the operation of this gaming equipment, under the conditions stipulated in this decision.

(2) The organiser's central system will ensure the activation and permanent monitoring of the terminals, centralising the data and automatic validation of the winnings awarded to the players. The organiser will ensure that the central system is connected to a terminal at the National Gambling Office, made available free of charge by the organiser, and that it contains, reports and allows access to information regarding: the total in participation fees collected each day, the total in payments awarded each day, including jackpot prizes, if applicable, as well as evidence of the interconnected terminals within the system (the number thereof and the address at which each one is being operated).

(3) The performance of games of chance via video lottery terminals takes place in accordance with the game rules and internal rules - special part, that will expressly provide the obligations and responsibilities of each person who participates directly or indirectly to the performance of the activity.

(4) Primary accounting records will be kept for each location where the activity is performed and jack-pot type of game system, by case, according to the model named "Situation of daily cash collections" that will be settled via the Order of the NOG President.

(5) On the last day of every month, the sums of money collected will be centralised according to the template named "The situation of monthly cash collection" that will be settled via the Order of the NOG President.

(6) The accounting records will be drawn up in accordance with the legal provisions in force, using forms from paragraphs (4) and (5) included in a special register or in electronic format.

Organizers that perform video lottery type of games equipments within dedicated premises are obliged to cover with panels, decals or any other such glazed surfaces that:

- (i) prevent viewing of the activities carried out within the respective premises;
- (ii) do not suggest gambling activities by using images, text or other symbols.

## **Paragraph VII. Bingo games taking place in gaming halls**

### **Article 87**

A bingo game taking place in gaming halls - a traditional game - is a game of chance characterised by the successive random drawing of numbers and awarding of prizes, organised using complex lottery-type draw equipment; the game participants will be designated as winners if they announce that the game ticket provided by the organiser in exchange for a participation fee bears the full combination of numbers from amongst those drawn up until that moment, corresponding to the following successive prizes: line, bingo, accumulated bingo, maximum ball and special prizes from reserve funds.

### **Article 88**

(1) Bingo-type gambling activities taking place in gaming halls may only be carried out in specialised premises or business premises, which are registered at the National Trade Register Office as the organiser's main or secondary office and which meet all of the following conditions:

- a) the premises must be organised so that to create a pleasant environment for the participants;
- b) the electrical lighting provided must be sufficiently bright to carry out the activities, but it must also be installed in such a way that it does not disturb the participants;
- c) they are provided with an air conditioning system, which is sufficiently powerful for the size of the premises;
- d) they are fitted with a back-up electrical circuit. The emergency exit doors will be fitted with electrical lights that turn on in the event of a failure in the main electrical circuit which, within the meaning of this decision, will constitute back-up electrical lighting circuit. These lights will be installed so that, when necessary, they ensure the protection and evacuation of players, gaming hall staff and valuables. The organisation of bingo-type activities taking place in gaming halls will not be authorised in premises that are not fitted with a back-up electrical lighting circuit or where this circuit does not work adequately;
- e) they are located and equipped in accordance with the legal requirements relating to fire prevention and fire fighting;
- f) they comply with the hygiene and sanitary guidelines in force;
- g) they are equipped with a sound system which ensures optimum hearing;
- h) uniforms are provided for members of personnel;
- i) the game coordination and management computer is fitted with a non-interruptible power supply source;
- j) the premises are fitted with an assembly of interconnected devices, installations, machines and equipment operating as a single unit, which is used to carry out successive draws that are transmitted via an installation which includes a closed television circuit.

(2) The following devices and pieces of equipment are compulsory in order to carry out the activities:

- a) a device for the random drawing of numbers, namely a turbo blower with a visible serpentine tube, which is approved and subjected to a technical inspection carried out by specialised companies;
- b) one or more electronically-controlled illuminated display panels, used to display the main game data: the line prize, bingo prize, accumulated bingo prize, reserve fund, ticket price, range of serial numbers sold, number of tickets sold, maximum ball, number of balls drawn and special prizes. The data panel will contain enough digits to enter the displayed data in full;
- c) two or more illuminated display panels for displaying the numbers drawn;

- d) at least four colour TV monitors for displaying the main game data, the numbers drawn and the winning tickets; the number of electrical lighting panels, as well as the number of monitors being used will be dictated by the player's need to access the game information from any location within the hall, regardless of its configuration and size;
- e) an electronic computer for the coordination of the game, for keeping the game accounts, equipped with a control monitor and one or more printers;
- f) other devices and accessories specific to bingo-type games, i.e. keyboard, switches, audio systems;
- g) Optionally, mini-bingo-type terminals may be connected to the main computer of the hall for players who play with several tickets simultaneously, to enable them to follow the numbers drawn and the winning numbers, as well as the winning tickets.

#### **Article 89**

Gaming halls will not be authorised if:

- a) the electronic system allows the game to be carried out in the event of a partial or total memory failure, in the event of a power cut or if it allows the game to be carried out when the printer or data support, namely the printout, is deactivated;
- b) they are located in beer gardens or restaurant terraces that are not completely enclosed and covered;
- c) the turbo blower-type device used to randomly draw the numbers is not equipped with a serpentine tube for storing the balls;
- d) the gaming equipment is not commanded via the computer.

#### **Article 90**

(1) For bingo games taking place in gaming halls, the payout percentage rate from the total amount of cash collected will be minimum of 65 % for each ordinary game, except for games where special prizes are awarded, when only the minimum percentage rate will be complied with. The payout percentages applied by the organiser will be stipulated in the game rules, making sure to comply with the minimum and maximum limits; any subsequent alteration of the game rules will only come into effect after being approved by the Monitoring Committee of the National Gambling Office.

(2) The payout percentage rate will consist of the sum of all percentages rates representing line, bingo and accumulated bingo prizes, as well as the percentage rate corresponding to the reserve fund.

(3) Reserve funds may be used to award special prizes and, optionally, to re-constitute the accumulated bingo prize, if this has been awarded.

(4) The entire accumulated bingo prize, constituted from sums of money collected up to a percentage established by the organiser or from the reserve fund, will be awarded to the player declared to be the winner at the maximum ball displayed on the data panel.

(5) It is prohibited to partially award this prize in fixed quotas and to award special prizes from the accumulated bingo prize.

(6) The prizes awarded to players will only be constituted from the reserve fund accumulated during the previous games.



(7) The line, bingo and accumulated bingo prizes, as well as the reserve fund, will be displayed on the general game data panel at all times.

(8) By means of an exemption from the provisions of paragraph 6, for a period of three months from the date on which they are granted an authorisation to operate games of chance, bingo organisers may constitute the reserve fund from their own financial resources, which they may recover at a later date.

#### **Article 91**

(1) Bingo games taking place in gaming halls will be operated on the basis of the game rules, using only tickets printed by the National Company "Imprimeria Nationala" SA.

(2) Organisers will notify the National Gambling Office about any tickets purchased, within five working days from the date on which this purchase takes place; the notification will be accompanied by a copy of the payment order which proves that the authorisation fee was paid in advance, certified by the organiser to be a true copy of the original document.

#### **Article 92**

(1) All data about the bingo-type games will be documented on the computer printout.

(2) The following data must appear on the computer printout: a chronological list of the bingo games organised in the hall, the date and time when the game started, the time when the game ended, the price of the tickets sold, the range of serial numbers sold, the line prize, the bingo prize, the accumulated bingo prize, the reserve fund and special prizes awarded from it, the balls drawn, the maximum ball, the number of the winning ticket, both for a line and for bingo, as well as validation of the game.

(3) At the end of each gaming day, the computer will perform a review of the games, the number of games carried out, the sums of money collected, the value of the prizes awarded and other summary data.

(4) After the review, the printout will be crossed through, the daily summary then being verified and signed by the game supervisor, the cashier and an operator. Each of the signatories will personally enter their name, the time of signature and their position, followed by their signature. The order in which these are entered will be dictated by the hierarchy of their positions.

(5) This procedure will be carried out as soon as the last game has finished, after the computer has issued the daily summary.

#### **Article 93**

(1) The printout with the game data will form the basis for drawing up an accounting document and will be kept as it is, along with this document, according to the legal guidelines.

(2) A statement for bingo-type games will be drawn up on a monthly basis, according to the template named "The situation of monthly cash collection" that will be settled via the Order of the NOG President.

#### **Article 94.**

(1) Bingo games taking place in gaming halls will be operated via computer programmes specific to bingo games. The gaming equipments together with the computer programs that are used will be connected to a centralizing computer system.

(2) The centralizing computer system will be connected to a terminal situated at the National Office for Gambling or at the premises indicated by it, allowing the access of the authority to the database of the organizer containing at the moment of the interrogation, the information established by the Order of the NOG president,

(3) In case the connection is interrupted between the specialized premises, centralizing computer system of the organizer as well as the terminal situated at the National Office for Gambling, or in the premises indicated by it, for periods longer than 2 days, the organizer has the obligation to suspend the activity of the agency until the reconnection is made and to elaborate a record of incidents registered at the organizer and communicated do the Office.

#### **Article 95**

(1) For the purpose of granting the authorisation to operate games of chance, of bingo type in the gaming hall and for the presentation of the documentation in the Surveillance Committee of the National Office for Gambling, a team of specialists comprising of representatives of the National Gambling Office and of the Ministry of Internal Affaires, in number of at least 3 persons will travel to the premises and draw up an inspection report documenting whether the authorisation requirements are complied with.

(2) The inspection report will be signed by all the members of the team, as well as the representative of the economic operator being inspected, and will be submitted to the Monitoring Committee of the National Gambling Office.

#### **Article 96**

The game rules must include provisions for describing the activities, the procedure used to homologate the results and validate the prizes, the way in which the reserve fund is established, the minimum and maximum payout percentage rate; the game rules will be approved by the Monitoring Committee of the National Gambling Office, and any subsequent amendment will only come into force after being approved by the Committee.

#### **Article 97**

Organisers are obliged to not provide excessive lighting for the entrance or premises where they operate the respective gaming equipment, in any form or by using any means, unless the entire building which houses the premises where the activities are carried out is provided with lighting, other than street lighting;

### **Paragraph VIII. Bingo games organised via television network systems**

#### **Article 98**

(1) A bingo game organised via television network systems is a game of chance broadcast via television network systems, characterised by the successive random drawing of numbers and awarding of prizes using complex lottery-type draw equipment; the game participants will be designated as winners if the game ticket provided by the organiser in exchange for a participation fee bears the full combination of numbers from amongst those drawn up until that moment, corresponding to the following successive prizes: line, bingo, accumulated bingo, maximum ball and special prizes from reserve funds.

(2) The sequence in which the prizes are awarded will be announced by the organiser who, based on their own records and following validation of the number draws carried out up until a given moment, determines that there is at least one valid ticket amongst those sold which contains the full combination of numbers required for the prize to be awarded.

#### **Article 99**

(1) The business plan will be drawn up for a period of one year and will be submitted by the economic operator only once, in order to obtain the authorisation to operate the activity. The documentation will contain the following data: the total estimated income, the total costs broken down into main expenses, gross profit.

(2) If the income registered during the validity period of the operating authorisation exceeds the income estimated based on the documentation submitted on the date of authorisation, the annual authorisation fee owed will be recalculated starting from the first month when the estimated earnings are exceeded, by applying the percentage rate stipulated in the Emergency Ordinance to the income registered at the start of the authorisation period.

(3) If the operating authorisation is extended after the first year of authorisation, the organiser will pay the authorisation fee for obtaining the authorisation by applying the corresponding percentage rate to the organiser's earnings, determined in accordance with Article 11 of the Ordinance, for the month prior to the month when the documentation is analysed by the Monitoring Committee of the National Gambling Office.

#### **Article 100**

To operate bingo games organised via television network systems, the organiser will ensure:

- a) the live broadcasting of the number draws, via television network systems;
- b) an assembly of interconnected devices, installations, machines and equipment operating as a single unit, characterised by the successive draws and prizes that take place quickly, via an installation which includes a closed television circuit;
- c) that the broadcasting place is organised in accordance with the provisions of this decision.

#### **Article 101**

The premises where the activities are carried out must be fitted with the following devices and pieces of equipment:

- a) at least one device for the random drawing of numbers, namely a turbo blower with a visible serpentine tube, which is approved and subjected to a technical inspection carried out by specialised companies;
- b) at least one electronically-controlled illuminated display panel, used to display the main game data: the line prize, bingo prize, accumulated bingo prize, reserve fund, ticket price, range of serial numbers sold, number of tickets sold, maximum ball, number of balls drawn and special prizes. The data panel will contain enough digits to enter the displayed data in full;
- c) at least one illuminated display panel for displaying the numbers drawn;
- d) an electronic computer for the coordination of the game, for keeping the game accounts, equipped with a control monitor and one or more printers;
- e) other devices and accessories specific to bingo-type games, i.e. keyboard, switches, audio systems, etc.

## **Article 102**

To be authorised, the hall must hold an authorization of functioning in accordance with the specific legislation in force and to meet the following fundamental requirements :

- a) a sufficiently powerful electrical lighting in order to perform the activity must be assured;
- b) to have a sound system installation that can assure an optimal hearing;
- c) the computer for coordination and administration of the game must be provided with an interruptible alimentation source;
- d) to be endowed with a safety electric circuit. At the exit doors , electric lamps will be installed that can enter in function at the moment of a damage at the basic electric circuit, constituting, in the sense of this decision, a safety electric lighting system.
- e) are equipped according to the hygiene-sanitary norms and prevention and firefighting regulations in force

## **Article 103**

The hall may not be authorised if:

- a) the turbo blower-type device used to randomly draw the numbers is not equipped with a serpentine tube for storing the balls;
- b) the gaming equipment is not commanded via the computer.

## **Article 104**

(1) For bingo games organised via television network systems, the payout percentage rate from the total amount of cash collected will be minimum of 40 % for each ordinary game, except for games where special prizes are awarded, when only the minimum percentage rate will be complied with. The payout percentage rates applied by the organiser will be stipulated in the game rules, making sure to comply with the minimum and maximum limits; any subsequent alteration of the game rules will only come into effect after being approved by the Monitoring Committee of the National Gambling Office.

(2) The payout percentage rate will consist of the sum of all percentages representing line, bingo and accumulated bingo prizes, as well as the percentage corresponding to the reserve fund.

(3) Reserve funds may be used to award special prizes and, optionally, to re-constitute the accumulated bingo prize, if this has been awarded.

(4) The entire accumulated bingo prize, constituted from sums of money collected up to a percentage rate established by the organiser or from the reserve fund, will be awarded to the player declared to be the winner at the maximum ball displayed on the data panel.

(5) It is prohibited to partially award this prize in fixed quotas and to award special prizes from the accumulated bingo prize.

(6) The prizes awarded to players will only be constituted from the reserve fund accumulated during the previous games.

(7) The line, bingo and accumulated bingo prizes, as well as the reserve fund, will be displayed on the general game data panel at all times.

(8) By means of an exemption from the provisions of paragraph 6, for a period of three months from the date on which they are granted an authorisation to operate games of chance, bingo organisers may constitute the reserve fund from their own financial resources, which they may recover at a later date.

#### **Article 105**

(1) Bingo games organised via television network systems will only be operated using tickets printed by the National Company "Imprimeria Nationala" SA.

(2) The records of the bingo games organised via television network systems, for a single gaming session, will be kept exclusively by the organiser and will be validated for each gaming session (televised programme) by a validation committee made up of five members that includes a president appointed by the organiser; the data about the gaming session (televised programme) will be documented on the computer printout.

(3) The following data must appear on the computer printout: a chronological list of the bingo games organised during the gaming session (televised programme), as applicable, the date and time when each game started, the time when the games ended, the price of the tickets sold for each game, the number of tickets sold for each game, the range of serial numbers sold for each game, the range of ticket serial numbers cancelled for each game, the line prize awarded for each game, the bingo prize awarded for each game, the accumulated bingo prize awarded for each game, the reserve fund and special prizes awarded from it, the balls drawn and awarded for each game, the maximum ball awarded for each game, the number of the winning ticket, both for a line and for bingo, for each game, as well as validation of each game.

(4) At the end of each gaming session respectively of the televised program the computer will perform a review of the games, the number of games carried out, the sums of money collected, the value of the prizes awarded and other summary data.

(5) After the review, the printout will be crossed through, the summary of the gaming session (televised programme) then being verified and signed by each member of the validation committee. Each of the signatories will personally enter their name, the time of signature and their position, followed by their signature.

(6) This procedure will be carried out as soon as the last game has finished, after the computer has issued the daily summary. The printout with the game data will form the basis for drawing up an accounting document and will be kept as it is, along with this document, according to the legal guidelines.

(7) Operators who organise bingo-type games of chance via television network systems must send to the NOG within three working days, the reports drawn up by the prize validation committee for each gaming session (televised programme), as well as all annexes to the report and a statement of the tickets registered in the organiser's records, documenting the tickets sold for the respective game of chance.

#### **Article 106**

(1) Bingo games organised via television network systems will be operated via computer programmes specific to bingo games. Gaming equipments together with the computer programs that are used will be connected to a centralizing computer system.

(2) The centralizing computer system will be connected to a terminal situated at the National Office for Gambling or in the premises indicate by it, allowing the access to the authority at the database of the organizer containing at the moment of the interrogation the information established via the Order of the NOG President

(3) In case of the interruption of the connection between the specialized premises/authorized gaming equipment and the centralizing information system of the organizer, as well as the terminal located at the National Gambling Office, or in the location indicated by it, for periods longer than 2 days, the organizer has the obligation to suspend the agency's activity/ gaming equipment until the re-establishment of the connection and to prepare a minute-report of the incident, registered at the organizer and communicated to the Office.

(4) Monthly, a report will be elaborated for the bingo type of game organized via television network systems, according to the template named "Situation of monthly cash collections" that will be settled via the Order of the NOG President.

### **Article 107**

(1) For the purpose of granting the authorisation to operate games of chance, for each hall where bingo games are to be organised via television network systems, a team of at least three specialists comprising of representatives of the National Gambling Office and the Ministry of Internal Affairs will travel to the premises and draw up an inspection report documenting whether the authorisation requirements are complied with.

(2) The inspection report will be signed by all the members of the team, as well as the representative of the economic operator being inspected, and will be submitted to the Monitoring Committee of the National Gambling Office.

### **Paragraph IX. Tombola**

#### **Article 108**

Tombola – a traditional game, is a gambling activity in which only prizes in kind are awarded, consisting of the periodic drawing of numbers, letters or other symbols in a random manner, using an independent computer system or specific mechanical or electronic devices; the number of gaming participants is pre-established and the winnings are awarded to those who present a participation ticket which contains the combination of letter, numbers or other symbols that is designated to be the winning one following the draws, or who have been deemed to be the winners following a draw.

#### **Article 109**

(1) The activities will be carried out on the basis of the game rules approved by the Monitoring Committee of the National Gambling Office, which must include provisions for carrying out the activity, the type and total value of the prizes awarded, the minimum number of participants for each gaming session, the deadline for purchasing game tickets, the date of the draw and the location where the draw will take place. Any amendment to the game rules will only come into force after being approved by the Monitoring Committee of the National Gambling Office.

(2) A copy of the game rules will be permanently displayed at the premises where the activity is carried out.

(3) Tombola tickets will be printed by the National Company "Imprimeria Nationala" SA.



(4) The ownership right over the goods awarded as prizes during each gaming session will be held by the organiser prior to the start of the gaming session and will be transferred to the participants who are deemed to be the winners free of any charges.

(5) The payout percentage rate for each session will be minimum 50 % of the total value of the stakes collected.

#### **Article 110**

(1) The records of the tombola games - traditional game, for a single gaming session, will be kept exclusively by the organiser and will be validated for each gaming session by a validation committee made up of five members; the data about the gaming session will be documented on the computer printout.

(2) The following data must appear on the computer printout: a chronological list of the draws organised during the gaming session, as applicable, the date and time when each draw started, the time when the draws ended, the price of the tickets sold for each game, the number of tickets sold for each game, the range of serial numbers sold for each draw, the range of ticket serial numbers cancelled for each draw, the prize awarded for each game, the individual value of each prize awarded, the number and series of the winning tickets for each game, as well as validation of each game.

(3) At the end of each gaming session, the organiser's computer system will perform a review of the games, the number of games carried out, the sums of money collected, the value of the prizes awarded and other summary data.

(4) After the review, the printout will be crossed through, the summary of the gaming session then being verified and signed by each member of the validation committee. Each of the signatories will personally enter their name, the time of signature and their position, followed by their signature.

(5) This procedure will be carried out as soon as the last draw has ended, after the computer system has issued the summary. The printout with the game data will form the basis for drawing up an accounting document and will be kept as it is, along with this document, in under the legal guidelines.

(6) Organisers of tombola-type games - traditional game are obliged to send to the Committee, within three working days, the reports drawn up by the prize validation committee for each gaming session, as well as all annexes to the report and a statement of the tickets registered in the organiser's records, documenting the tickets sold for the respective game of chance.

(7) Monthly, a report will be elaborated for the tombola type of game, according to the template named "Situation of monthly cash collections" that will be settled via the Order of the NOG President.

## **Paragraph X. Activities relating to temporary games of chance**

### **Article 111**

(1) Activities relating to temporary games of chance are any of the gambling activities characteristic to casinos, bingo in gaming halls and slot machines defined in Article 10(1)(e)(i) of the Emergency Ordinance, carried out temporary in tourist resorts or on board recreational ships, as well as poker festivals.

(2) The template for the licence to organise temporary games of chance is given in Annex 5b).

(3) Primary accounting records will be kept on a daily and monthly basis, for each authorized gaming mean, authorized location or at operator's level according to the accounting reporting rules applicable for each activity.

### ***A. Temporary games of chance characteristic to casinos, slot machines or bingo organised in halls***

#### **Article 112**

(1) The holder of a license to organize games of chance provided by art. 10 para. (1) letters c) and e) point i) or letter f) of GEO no. 77/2009 may request the temporary authorization to operate of the same activity, in tourist resorts or board recreational ships, by observing the provisions of the present methodological norms.

(2) Economic operators who do not hold the license to organize for one of the activities provided by art. 10 para. (1) letter c), e) point i) or letter f) of GEO no. 77/2009, will request simultaneously the license to organize and authorization to operate temporary games.

#### **Article 113**

The premises used to carry out temporary games of chance provided by Article 10(1) letter p) point i) of the Emergency Ordinance are board recreational ships and commercial spaces or accomodation establishments located in tourist resorts as stipulated in Annex 1 of Government Decision No 852/2008, which are registered at the National Trade Register Office as the organiser's main or secondary offices and meet all of the following conditions:

- a) they allow for the gaming equipment to be positioned in order to create a pleasant environment for the participants;
- b) they are set up to suit the activities carried out, making sure to comply with the minimum number of pieces of gaming equipment stipulated for each activity, in accordance with Article 15(6) of the Emergency Ordinance;
- c) the electrical lighting provided must be sufficiently bright to carry out and monitor the activities, but it must also be installed so that it does not disturb the participants;
- d) they are provided with an air conditioning or ventilation system, which is sufficiently powerful for the size of the premises;
- e) for activities characteristic to casinos and bingo in halls, the premises will be fitted with a back-up electrical circuit. The emergency exit doors will be fitted with electrical lights that turn on in the event of a failure in the main electrical circuit. These lights will be installed so that, when necessary, they ensure the protection and evacuation of players, casino staff and valuables;
- f) they are located and equipped in compliance with the legal requirements relating to fire prevention and fire fighting;
- g) they comply with the hygiene and sanitary guidelines in force;

h) they provide an environment that is suitable for carrying out the activities in good conditions, without disturbing the peace and public order, in accordance with the legal provisions in force;  
i) the access of minors to the areas where temporary games of chance are carried out, as well as their participation in the types of games regulated by this article is explicitly prohibited.

#### **Article 114**

Other economic activities, other than those regulated by the Emergency Ordinance and this Decision, may also be carried out inside premises where temporary games of chance are carried out, providing that the activities are organised and operated separately, being kept separate by any means.

#### **Article 115**

(1) Organization and operation of temporary games of chance shall be carried out in accordance with the provisions of the Emergency Ordinance and these methodological norms with regard to each activity, which will apply accordingly.

(2) The authorisation to operate temporary games of chance will be valid for three months and may be extended only once, for a period of three months.

(3) The organizer is entitled to place gaming means supporting the operation of the activity related to temporary games of chance only within the locations that observe the conditions provided in this section.

#### ***B. Poker festivals***

#### **Article 116**

(1) Poker festivals are an assembly of events consisting of poker tournaments attended by a minimum of 200 participants, which are periodically organised over the duration of one year by an economic operator, on the basis of a licence to organise and authorisation to operate the activity.

(2) The authorisation to operate gambling activities characteristic to poker festivals will enable the economic operator to organise a maximum of ten events, on condition that two or more events are not organised within the same premises during the same month, and the duration of each event does not exceed 12 calendar days.

#### **Article 117**

(1) Poker festivals may only be organised and operated on the basis of a licence to organise and an authorisation to operate the activity, using special tables and specific gaming equipment such as cards, tokens, chips, etc.

(2) The events of a poker tournament may be organised within premises which meet of the following conditions:

- a) the minimum surface area of the location where the activities are carried out measures 150 square metres;
- b) no other gambling activities regulated by the Emergency Ordinance or this Decision are simultaneously carried out within the premises where the activity is organised;
- c) an adequate lighting system is fitted within the premises to enable carrying out of the activity;
- d) the premises will be fitted with a back-up electrical circuit, and the emergency exit doors will be fitted with electrical lights that turn on in the event of a failure in the main electrical

circuit, ensuring the protection and evacuation of players, members of personnel working in the hall and valuables, if necessary.

e) the premises comply with the legal provisions relating to fire prevention and fire fighting, as well as the hygiene and sanitary guidelines in force.

### **Article 118**

(1) Gambling organisers of poker festivals will notify the National Gambling Office at least 15 days before the start date of an event that is part of the poker festival.

(2) The notification stipulated in paragraph 1 will include information about the period during which the event is scheduled to take place, the premises where it will take place, as well as the minimum and maximum participation fee charged by the organiser.

(3) During each event that is part of a poker tournament, all activities will be carried out in accordance with the provisions stipulated in the game rules, which must include provisions regarding the types of games that can be organised, the number of tables used, the conditions for participation and the conditions for awarding the winnings, the method of registration and carrying out of the event.

(4) Any amendment to the game rules will come into force on the date of its approval by the Monitoring Committee of the National Gambling Office. An identical copy of the document approved by the Committee will be permanently kept at the premises and will be presented, upon request, to the participants and the control bodies.

(5) Different poker tournaments may be organised as part of an event, providing that their total duration does not exceed the maximum duration established for the event.

(6) An event may include poker tournaments in which the participants can, at any time, exchange their tokens, according to their value, at the collection point, as well as poker tournaments in which the participants' tokens have a purely symbolic value, are inscribed without a value, are subject to separate accounting and cannot be exchanged for cash at the collection point.

### **Article 119**

(1) Organisers will only allow players to take part in the events of a poker tournament on the basis of a valid identity document, and will keep a record of all players accessing the premises where the activities are carried out in electronic format only, using specialised computer programmes.

(2) The organiser will ensure that the game access records contain at least information about the name and surname, date and place of birth, as well as the type, number and series of the identity document presented by the participant.

(3) The computer programmes used to keep a record of the players' access will also ensure that the participants are allocated to gaming tables in a random manner.

### **Article 120**

Organisers will only carry out money collection and payment operations relating to the activity via cash collection points that are equipped with at least one safe for storing valuables

and a computer system for keeping a record of the money paid and collected during the event. Collection points will be set up inside the premises or inside the accommodation establishment.

### **Article 121**

(1) Organisers of poker festivals are obliged to use for the games they operate at least four types of tokens manufactured by specialised companies; if the event involves several tournaments, the tokens will bear different inscriptions for each tournament.

(2) If the tournament involves a qualifying stage, only the players who qualified during the initial stage being allowed to access the final stage of the tournament, the organiser will ensure tokens bearing different inscriptions for each stage, or other players, if this aspect is provided in the game rules approved by the Committee.

(3) Value-bearing tokens may be purchased from the collection points or the gaming tables, in lei or foreign currency, and may only be returned or bought back at the collection point.

## ***Section II. Remote games***

### **Article 122**

(1) Remote games of chance may only be organised and operated in Romania by economic operators that are registered in Romania or a Member State of the European Union, a state that is a signatory of the Agreement on the European Economic Area or the Swiss Confederation and hold a licence to organise and an authorisation to operate the activity, issued by the National Gambling Office of Romania.

(2) The authorization to operate will be granted for all gaming activities carried out via the same gaming platform connected to at least one internet domain.

(3) To obtain a licence to organise and an authorisation to operate remote games of chance, economic operators will submit the documents provided at Annex 6a) and Annex 7, as well as the following documents, in Romanian:

- a) certificate issued by a specialized laboratory attesting that the gaming platform fulfills the conditions provided by the law for offering gambling services in Romania, including that the platform identifies and records distinctively every transaction performed by players accessing the platform from Romania, as well as every transaction performed by Romanian players not having their fiscal residency in another state;
- b) documents proving a complete description of the hardware and software equipment used for offering games of chance in Romania;
- c) documents attesting the location where the computer systems, hardware and software used by the organizer, are placed;
- d) documents attesting the payment of the taxes for analyzing the documentation;
- e) documents attesting the turnover of the company in the previous fiscal year;
- f) centralized situation of the agreements concluded by the organizer with affiliates, payment processors, software providers and audit/certification companies, support services, in force at the date of submission of the authorization request;
- g) game rules for every activity the authorization is requested for;
- h) documents proving the terms and conditions applicable for using the gaming platform;
- i) documents describing the measures applicable at organizer's level for preventing and combating gambling addiction and for prohibiting minors' access to the performed activity;

- j) as the case may be, proof of registration of the company as personal data operator;
- k) ISO accreditation certificate of the company performing the conformity verification of the gaming platform;
- l) audit report prepared by authorized companies holding a 2<sup>nd</sup> class license issued by ONJN, related to the year preceding that during which the authorization is requested.

### **Article 123**

Persons applying for a licence and authorisation for remote games of chance must submit to the Monitoring Committee of the National Gambling Office, at the time of their first authorisation, a centralised statement containing information about the number of accounts opened and total amounts of deposits made by players on the gaming platforms being used.

### ***Paragraph I. The authorised representative***

### **Article 124**

Economic operators who are registered and authorised to carry out remote gambling activities in a Member State of the European Union, a state that is a signatory of the Agreement on the European Economic Area or the Swiss Confederation are obliged to appoint an authorised representative in relation to the competent Romanian authorities.

### **Article 125**

The authorised representative of a remote gambling organiser authorised in a Member State of the European Union, a state that is a signatory of the Agreement on the European Economic Area or the Swiss Confederation is an individual or legal entity appointed by the organiser, who meets all of the following conditions:

- a) has its domicile or registered office in Romania;
- b) is not in a situation of incompatibility, according to the law;
- c) no sentence was ruled by a court of justice against the individual or the legal representatives of the legal entity for a crime stipulated by the Emergency Ordinance 77/2009 or for any other crime committed with intent, for which a sentence of at least two years in prison was enforced and which was not subject to rehabilitation;
- d) does not appear with any entries in the tax offence records and received the approval from the police bodies;
- e) is appointed as an authorised tax representative in Romania of the licensed operator, in accordance with the legal provisions in force;

### **Article 126**

(1) The main responsibilities of the authorised representative of a gambling organiser who is registered and authorised to carry out remote games of chance in a Member State of the European Union, a state that is a signatory of the Agreement on the European Economic Area or the Swiss Confederation are as follows:

- a) they represent the organiser before the Romanian authorities for any request relating to the gambling activities;
- b) they represent the gambling organiser during the licensing, authorisation, auditing, technical and/or financial procedures carried out as requested by the National Gambling Office;
- c) they represent the organiser during the procedures for the control and/or monitoring of the way in which the remote gambling activities are conducted;



(2) Any modification to the data and information regarding the authorized representative taken into consideration at the moment of authorization shall be notified to the ONJN within maximum 5 days from the date of adoption.

(3) The administrative acts, information and requests addressed by ONJN to the organizer of games of chance shall be deemed communicated to the organizer if transmitted to the address of the authorized representative.

(4) For applying article II para. (7) let. d) of Law 124/2015, the clauses comprised by all the agreements or acts concluded between the organizer and the person appointed as authorized representative, submitted according to law with ONJN, must comprise the main responsibilities of the authorized representative, as provided by para. (1) and effectively contribute to the fulfillment of obligations.

## **Paragraph II. General conditions for carrying out the activity**

### **Article 127**

(1) Remote gambling activities organised in Romania will be carried out via the organiser's central computer system, which must contain a gaming system, a system for registering and identifying the game participants, as well as a system for storing and transmitting, in real time, information about: each gaming session, each participation fee and each payment made to the game participants.

(2) The central computer system will ensure that all the data which are explicitly requested by the National Gambling Office, the identification and financial data of Romanian players, as well as each transaction made by a Romanian player, are transmitted in an encrypted format and are automatically registered, in real time on the safe server. Centralised daily/monthly statements will be sent to the mirror server, which will enable the real-time verification of the operations carried out by the licensed operator.

### **Article 128**

The organiser's website and the gaming platform used to carry out the remote gambling activities must contain the following information in Romanian, displayed in a visible place:

- a) the gambling organiser's name, the registration number issued by the National Trade Register Office or the competent authority in the State where the organiser is based, including tax identification data and/or another identification number, the address of the registered office, the series, number and date of the licence to organise and authorisation to operate the activities issued by ONJN, the validity period of these documents and a link to the website of the National Gambling Office - [www.onjn.gov.ro](http://www.onjn.gov.ro);
- b) the explicit interdiction for individuals younger than 18 years of age to participate in games of chance;
- c) the organizer's policy regarding prevention and combat against gambling addiction, including access to self-testing for gambling addiction;
- d) the game rules for each game of chance provided;
- e) the support service offered by the organizer for using the platform;
- f) information about payment methods;
- g) terms and conditions regarding the use of the gaming platform by participants;
- h) information about player's account;
- i) information about compliance with the legal provisions relating to fraud and money laundering.

k) warning message sent automatically by the gaming platform every 60 minutes informing the player about the time spent to the game.

### **Paragraph III. Participants in remote games of chance**

#### **Article 129**

(1) Only players who have a unique game account and are registered in accordance with the provisions of this methodological norms may take part in the remote games of chance organised by an operator that holds a licence to organise and an authorisation to operate the activity.

(2) To register, players will submit at least the following personal data: name, surname, date of birth, valid email address, address of domicile, user name, password, acceptance of the terms and conditions, a voluntary confirmation that they are older than 18 years of age. When accepting the registration, the gaming platform will automatically generate a unique code allocated to the player.

(3) Registered players may deposit into their game account a sum of money of up to EUR 200 or equivalent, using payment methods accepted by the organiser, but no money may be withdrawn from the game account until the authenticity of the data provided by the players has been verified.

(4) To verify the authenticity of the data provided by players, the organiser will request information about citizenship or tax residence; Romanian citizens will also be asked to provide their Personal Number. Remote gambling organisers are obliged to make all efforts to verify the authenticity of the data provided by players within 30 calendar days from the date of registration of the game account

(5) If players do not confirm the authenticity of the data provided within 30 calendar days from when their player account is credited, or if their name appears on the list of self-excluded or undesirable players, the organiser will close the account and the sums of money that exist in the account will be retained and transferred to the state budget by the latest the 10 day of the following month in which the funds have been retained. In case of death during the verification period of the account, the sums of money shall be refunded to the successors, according to the law

(6) All changes to the game accounts will be automatically forwarded to the back-up server located in Romania.

#### **Article 130**

(1) Remote gambling organisers will create a single game account for each registered player.

(2) Gambling organisers will grant players access to information about their game account, a record of their games - including the stakes, wins and losses, the deposits and withdrawals made, as well as other transactions related to the account. This information will be available to players on their game account for at least 90 days.

(3) Gambling organisers will not accept a stake from a player unless there are sufficient funds in the game account to cover the value of the stake.

(4) The outcome of the participation in the game will be immediately reflected in the player's game account.

(5) A gambling organiser will not allow transfers between the players' game accounts. Winnings obtained from participation in the game may be transferred to a player by the gambling organiser only into the same payment account from which the funds transferred by the player originated. If a player's payment account is no longer valid, the gambling organiser will transfer the winnings into the account specified by the player after player's identity has been verified.

(6) A gambling organiser will not credit a player's payment account or game account and will not allow the free participation in a game of chance under any conditions except for those stipulated in this methodological norms for awarding bonuses to participants.

(7) If they have any plausible suspicions, remote gambling organisers may carry out, within 10 business days, any verification they consider to be necessary before transferring the winnings into a player's payment account, and then make the transfer or notify the competent authorities. This term can be extended with 5 business days if the verification is made by the software provider or can be extended until the termination of the verification made by competent authorities upon organizer's request, with the condition of informing the player and NOG.

(8) Remote gambling organisers will make sure that, if a game is interrupted due to technical reasons not attributable to the participant, players who have placed a stake before this interruption can continue the interrupted game. If this is not possible, the stake will be returned to the player according to the terms and conditions accepted by the latter.

(9) The funds in a player's game account are deposits of the player, constituted via financial transfers made and kept in an account belonging to the organiser, which will be separate from the account used to carry out their current financial transactions. The funds in a player's game account may only be returned using the same method as that used to credit the account. To the player's successors, the funds may be refunded on the basis of documents which certify their capacity.

(10) Players deposits may not be used for other purpose than for which it have been constituted.

(11)The organiser will establish a fund to guarantee the players' deposits at a bank in Romania. The sums representing the players' deposits will be adjusted on a weekly basis, on the first day of the week for the previous week.

### **Article 131**

(1) Any player can file a complaint with the remote gambling organiser, specifying the player's identity and the elements subject to his complaint.

(2) The remote gambling organiser will resolve the complaint within a reasonable period, but no later than 14 days from the date when the complaint is registered.

(3) If the remote gambling organiser does not resolve a player's complaint by the deadline stipulated or if they reject the player's complaint, the latter has the right to contact the National Gambling Office.

(4) The remote gambling organiser will keep all complaints and any related documents for at least 2 years from the date on which each complaint is registered, and will forward them to the National Gambling Office and other competent authorities, upon request, in compliance with the legislation on the processing of personal data.

#### **Article 132**

(1) Remote gambling organisers will provide players with a facility that enables them to set daily, weekly and monthly deposit limits. A player's request to set a deposit limit will be implemented, upon request, within maximum 24 hours.

(2) No requests submitted by the players to increase the previously-set deposit limit will come into force until at least 48 hours have passed.

(3) Gambling organisers must provide players with a facility that enables them to request their temporary or permanent exclusion from the game, or interruption of their access to the game for a pre-established period of a maximum of 7 days.

(4) If a player has self-excluded from a game carried out by a remote gambling organiser, the latter must inform the player about the option to receive counselling and treatment for pathological gambling addiction in a treatment centre.

(5) The remote gambling organiser, respectively their authorised representative, will keep a record of all players who requested their permanent or temporary exclusion or the interruption of their access to the game of chance, which they will submit, upon request, to the control bodies.

(6) A player who is registered in the register stipulated in paragraph 5 may only request to be struck off this register after a period of six months since their registration in the respective register has expired.

(7) Remote gambling organisers are prohibited from sending advertising materials to players who have temporarily or permanently self-excluded, or to those who requested for their access to the game of chance to be interrupted.

#### ***Paragraph IV. Suspension and closure of the game account***

#### **Article 133**

(1) Remote gambling organisers may suspend or close a player's game account, by immediately notifying the player, in two different situations:

- (i) if the player breaches the legal provisions, or
- (ii) if the gambling organiser's game rules are breached.

(2) If they decide to suspend the transfer from or into the player's account in any situation provided by para. (1), the gambling organizers will communicate to the player a justified decision along with its related documentation. A copy of the decision, certified to be

true to the original document, will be sent to the National Gambling Office within 3 business days

(3) When closing a game account for any other reasons that are not due to the fault of the player, the gambling organiser will return the funds in the game account to the player within maximum 10 working days from the date on which the account is closed. No fees will be charged for closing the game account.

(4) If the sums of money payable to the player cannot be transferred into his/her account because this is no longer valid, the gambling organiser will inform the player, within five working days, that he/she may ask to be refunded with the due sums of money from their game account, within a period of one year.

(5) If the player does not express their wish to be refunded with the due sums of money within the period stipulated in paragraph 4 or does not provide the gambling organiser with another valid bank account, the gambling organiser will transfer the money from the respective account to the Romanian state budget, in accordance with the legal provisions in force, until the latest the 25<sup>th</sup> day of the following month in which the funds have been retained.

(6) If no transaction is registered in a player's game account for a period of one year, the gambling organiser will transfer the money from the respective game account into the player's payment account, within the period stipulated in paragraph 4. If the player's payment account is no longer valid, the gambling organiser will transfer the money from the respective account to the Romanian state budget, after notifying the player and the NOG in advance as stipulated in paragraph 5, until the latest the 25<sup>th</sup> day of the following month in which the funds have been retained.

#### ***Paragraph V. The gaming platform***

#### **Article 134**

(1) The gaming platform is the computer system used by a licensed remote gambling operator, connected to at least one web page of the organizer, accessible for the players through means of distance communication

(2) The remote gambling organiser's gaming platform will enable the following operations to be carried out automatically:

- a) interacting, in real time, with the player, the gaming server, as well as the mirror server and the back-up server, located at the premises of the National Gambling Office or another location specified by the Office;
- b) managing the game formulas and gaming sessions;
- c) granting the right to participate in the game;
- d) awarding winnings and making the corresponding payments;
- e) providing support and information to players;
- f) providing all information needed to learn the games, free of charge;

g) geographically locating the participant's IP address, as well as identifying the date, time and duration of the player's gaming session.

(3) Remote gambling activities authorised in Romania will be carried out via the organiser's personalised gaming platform, connected to at least one web page, which must contain:

- i) all the game participants who access the gaming platform from within Romania and
- ii) all game participants who are Romanian citizens and do not have their fiscal residence in another state.

(4) The organizer guarantees the gaming platform assures the accuracy, integrity, reliability, safety, transparency and confidentiality of all the activities and functions performed, as well as the accuracy and promptness of all prize payouts.

(5) The gaming platform will assure that all the data about the gaming sessions carried out are memorised and can be traced for a period of 6 years.

(6) The gaming platform will assure the continuity of the service by adopting highly reliable systems, and will be developed and maintained according to the methods and technologies aligned with the best standards in the field.

(7) The gaming platform will be equipped with safety features that can guarantee protection against unauthorised access, as well as the unchangeability of the data being exchanged.

(8) The software components that the player must install, upon gambling organiser's request, within their own system will be protected against computer viruses and will only connect to the website of the authorised gambling organiser.

#### **Article 135**

If the organiser does not have its own gaming platform, the right to use the computer platform via which remote gambling activities are carried out in Romania may only be acquired from authorised economic operators who hold a 2<sup>nd</sup> Class Licence issued by the Monitoring Committee of the National Gambling Office.

#### **Paragraph VI. Remote gambling organiser's computer system**

#### **Article 136**

(1) The organiser's central computer system will comprise of the gaming server, namely the hardware and software system via which the remote gambling organiser carry out its activities in Romania, which will be connected to the mirror server and the back-up server.

(2) The gaming server will be located in Romania or another Member State of the European Union, in a state that is a signatory of the Agreement on the European Economic Area or in the Swiss Confederation.

#### **Article 137**

(1) The central computer system must automatically record every transaction and transmit in maximum 24 hours, in the safe server accessible to the National Gambling Office,



and send centralised daily reports to the mirror server, according to the Order of the NOG President.

(2) The back-up server will automatically record all the information about the remote gambling activities carried out in Romania, including information about the registration and identification of players, the players' geographical location of the IP address, the stakes played and winnings obtained, as well as transfers to the players' game account and payment account.

(3) The organiser's computer system will store the data collected on the back-up server in the format in which they were created, for at least 6 years since their collection date, afterwards being achieved on organizer's care.

(4) Centralised reports will be automatically sent to the mirror server and will contain information about the total participation fees collected on a daily basis, the value of the winnings transferred to the players' game accounts and payment accounts, the funds available in the deposits constituted by the players in the gambling organiser's account.

(5) The organiser will be limited to using the connection between the game server and the back-up server for the transmission of data only.

#### **Article 138**

(1) An economic operator who applies for an authorization to operate remote gambling activities must hold a certification for the gambling software or platform, issued by a specialized company, that holds a 2nd Class license issued by the National Gambling Office.

(2) A licensed remote gambling organiser will submit, to obtain the authorisation or to prolonge the authorisation, a report of the technical audit of the computer system, carried out by a specialised company that holds an 2<sup>nd</sup> Class license issued by the National Gambling Office.

(3) The audit report drawn up for the organiser's computer system will include information about: a detailed description of the computer system, the location of the gaming server, back-up server and mirror server, the IP addresses of the gaming, back-up and mirror servers, the integrity of the database, the way in which the gaming server is interconnected with the mirror server and the back-up server, the system used to store, encrypt and decrypt information on the back-up server, the technical features of the system that ensures the automatic transfer of data to the back-up server and the mirror server, the data protection systems.

#### **Article 139**

(1) Remote gambling organisers will carry out their activities using software programs specific to games of chance which they have the right to use, a right acquired in compliance with the law from specialised developers who hold a 2<sup>nd</sup> Class Licence issued by the National Gambling Office.

(2) Any changes to the computer program used by the organiser, which could affect the way in which prizes are awarded, the cash flow between the organizer and the participant and the automatic procedures for sending data to the back-up server and the mirror server, will be implemented providing that a new certification is obtained from authorised laboratories and the Monitoring Committee of the National Gambling Office have given their prior approval.

## **Paragraph VII. Operation of the activity**

### **Article 140**

(1) Remote gambling activities organised between the organiser and participants will be carried out according to the terms and conditions established by the organiser and the game rules, which must contain the following information: the organiser's contact details, identification and a detailed description of the procedures used to register players and create game accounts, a description of the conditions for suspending or closing game accounts, a description of the procedures for the temporary or permanent self-exclusion from the game, as well as the procedures for interrupting access to the gaming platform, a detailed description of the games offered to participants, the method used to transfer the sums of money obtained from the game of chance into the participant's game account and payment account, security conditions of the data transmission from an to the player, the consequences of any attempts to breach the legal or regulatory provisions.

(2) The game rules in Romanian language will be available for game participants on the licensed organiser's platform, from where they can be downloaded free of charge, in a format that does not allow any changes to be made, into the player's computer system.

(3) Any changes to terms and conditions or game rules will be submitted for approval to the Monitoring Committee of the National Gambling Office.

### **Article 141**

(1) Organisers are obliged to distinctly document and centralise the financial data to be presented to the National Gambling Office, in accordance with the legal provisions in force.

(2) Unauthorized sites/platforms/ applications of games of chance of the operators that perform or had performed activities of remote games of chance in Romania, or who promote unauthorized games of chance, will be included in the "blacklist", via the decision of the Monitoring Committee of the ONJN. The "blacklist" will be initiated at the proposal of the specialty directorates within ONJN, and the approval for introducing and eliminating from the "blacklist" will be made with the compliance to legal provisions in force.

(4) The decision of the Monitoring Committee of the ONJN regarding the "blacklist" will be communicated to the providers of network and electronic communications services, via electronic mail or displaying on the ONJN site, [www.onjn.gov.ro](http://www.onjn.gov.ro)

## ***Section III. Other gambling activities***

### **Article 142**

Gambling activities, other than those explicitly regulated by Government Emergency Ordinance no. 77/2009 and this methodological norms, may only be organised and operated by organisers who obtain a licence to organise and an authorisation to operate such activities from the Monitoring Committee of the National Gambling Office.

### **Article 143**

To obtain the authorisation to operate the activities, organisers will submit to the National Gambling Office a detailed description of the proposed activities, the gaming equipment via which the activities are carried out, the conditions for homologating the results and validating the winnings.

#### **Article 144**

The Committee will establish the category of the new proposed type of game, as well as the licensing and authorisation fees that the organiser will have to pay.

#### **Article 145**

In the field of gambling, the databases for self-excluded and undesirable individuals will be drawn up by organisers, sent to the Foundation of Public interest, provided by art. 10 (4) from the ordinance and managed by the latter, and will be made available to ONJN, police bodies and the licensed operators free of charge, in accordance with the legal provisions in force.

### ***Section IV. Extending the licences to organise and the authorisations to operate games of chance***

#### **Article 146**

(1) 1<sup>st</sup> and 2<sup>nd</sup> class licenses and the authorizations to operate games of chance held by a gambling organiser will be extended, upon request, for identical validity periods if, 30 days before the initial duration expires, the operator proves that the conditions taken into consideration on the issue date have been maintained.

(2) In order to extend the validity of the license to organize and authorization to operate games of chance, the organizer shall submit the extension request with at least 30 days prior to expiry, along with the following documents:

a) ascertaining certificate issued by the Trade Registry Office attesting the legal status of the organizer (address of the registered office, registration number, identification data of the associates and legal representatives, value of the subscribed and paid-up share capital);

b) tax clearance certificate;

c) affidavit of the legal representative regarding the maintaining of the conditions taken into consideration by the authority at the moment of issuance of the license to organize requested to be extended;

d) criminal record certificate or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/directors is situated, (in the situation in which there are several legal representatives, the criminal record certificate or other document issued by the competent authorities for each of them, will be presented), certifying that no final judgment has been rendered against him, for which rehabilitation did not interfere, in Romania or in a foreign state, for a crime stipulated by GEO no. 77/2009 or for any other crime committed with intent for which has been imposed a punishment of minimum 2 years of imprisonment

(3) For the operating authorisation to be extended, the operator will submit the technical audit report drafted by authorized companies holding a 2<sup>nd</sup> Class license issued by the National Gambling Office.

(4) By case, the aforementioned documents will be certified as "according to the original", signed and stamped by the legal/authorized representative of the economic operator.

(5) To the extent of the development of the informatics support applications, held and used by the National Gambling office, the request will be elaborated only by using this means, and the documents will be attached electronically with digital signature.

## **CHAPTER VI**

### **LICENCES GRANTED TO ECONOMIC OPERATORS**

#### **Article 147**

(1) Activities relating to the manufacturing, distribution, maintenance, services, import, export, intra-Community acquisition and intra-Community delivery of gambling equipment, as well as other related activities specific to games of chance or performed in the field of gambling, may only be carried out by economic operators who hold a 2<sup>nd</sup> Class Licence issued by the Monitoring Committee of the National Gambling Office, in the conditions of the law.

(2) The provisions of this chapter will apply to all economic operators, other than the providers of electronic communications network services, as defined in the Government Emergency Ordinance no. 111/2011 regarding electronic communications, approved with amendments and completions through Law no. 140/2012, as subsequently amended and supplemented, who use a gaming platform for the following purposes:

- i) offer services in Romanian,
- ii) collect money and make payments in the national currency,
- iii) provide related or supporting services in Romanian language,
- iv) provide marketing and advertising services addressed to players from Romania.

#### **Article 148**

(1) A 2nd class Licence will be granted, upon request, to economic operators who meet the conditions for carrying each of the activities.

(2) A 2nd class Licence will be valid for 10 years from its issuance date, providing that the corresponding fees are paid, as follows:

- a) for the first year, by the 25th of the month immediately following the month when the documentation submitted by the economic operator is approved;
- b) for the subsequent years, at least 10 days before the one-year period has ended.

(3) A 2nd class Licence will be granted as of the first day of the month immediately following the month when the economic operator pays the fee, after the documentation has been approved.

(4) If the obligation to pay the licensing fee for the first year of validity by the given deadline is not met, the approval decision will not produce its effects, without any further formalities.

#### **Article 149**

(1) A 2nd class Licence will be granted to economic operators who meet the following conditions:

- a) they are lawfully authorised to carry out the economic activity for which they are requesting authorisation and which will be performed in the field of gambling;
- b) they have the necessary means to carry out the activity;
- c) they have the personnel required to carry out the activity;
- d) they submit a tax clearance certificate stating that they do not have any outstanding debts to the state budget;
- e) the legal representatives of the legal entity submit a self-declaration stating that:
- f) the documentation is accompanied by affidavits of directors and associates stating that they have not been convicted by means of a final sentence which was not subject to rehabilitation;
- g) the documentation is accompanied by affidavits of directors and associates stating that they are not in a situation of incompatibility, according to the law.

(2) Depending on the characteristic of the activity, the economic operators that perform auxiliary activities in the field of games of chance in Romania, other than the network providers and electronic communications services providers, as they are defined in the Government Emergency Ordinance no. 111/2011 regarding electronic communications, approved with amendments and completions, by Law no. 140/2012, with subsequent amendments and completions, will meet the following specific requirements:

- a) the economic operators providing management and hosting facilities on the gaming platform, who are stipulated in Article 20(6) of GEO no. 77/2009, are operators who hold management and integration platforms specific to remote games of chance as well as the operators of server storage centres (data centre) who must meet the following conditions:
  - i) they will prove that they hold the ownership or usage right over the computer platform/premises of server storage ;
  - ii) the legal representatives will submit a declaration of conformity for the services that the economic operator can carry out for the benefit of the remote gambling organisers;
  - iii) they will submit criminal record certificates issued by the Romanian authorities, or any other similar documents issued by the competent foreign authorities, which prove that the economic operator and its legal representatives have not been convicted for committing a crime with intent, which has not been subject to rehabilitation.
- b) economic operators who carry out activities relating to the manufacturing, distribution, including provision of programs/devices for performance or management of gambling activities, repair and maintenance of gaming equipment, as well as import, export, intra-Community acquisition and intra-Community delivery or other related activities involving gaming equipment or components:
  - i) the legal representatives will submit declarations of conformity for the products and services provided by the economic operator;
  - ii) will submit criminal record certificates issued by the Romanian authorities, or any other similar documents issued by the competent foreign authorities, which prove that the economic operator and its legal representatives have not been convicted for committing a crime with intent, which has not been subject to rehabilitation.
- c) payment processors:
  - i) will submit documents authorising them as payment institutions or documents certifying that they have the right to organise traditional games of chance, as applicable;
  - ii) will submit criminal record certificates issued by the Romanian authorities, or any other similar documents issued by the competent foreign authorities, which prove that the economic operator and its legal representatives have not been convicted for committing a crime with intent, which has not been subject to rehabilitation.

d) companies which develop and/or distribute specialised software for games of chance as well as the companies that broadcast images of games of chance characteristic to casinos, provided at art. 34 paragraph (3) of this decision :

i) will submit documents which certify that they hold copyright /distribution right over the specific software program;

ii) the legal representatives will submit declarations of conformity for the products and services provided by the economic operator;

iii) criminal record certificates issued by the Romanian authorities, or any other similar documents issued by the competent foreign authorities, will be submitted to prove that the economic operator and its legal representatives have not been convicted for committing a crime with intent, which has not been subject to rehabilitation.

iv) for the companies that broadcast images of games of chance characteristic to casinos, provided at art. 34 paragraph (3) from this methodological norms, the documents that prove the exploitation premises and supply contracts should be presented:

e) affiliates:

i) the legal representatives of the economic operator or the individual who is authorised to carry out the activity will draw up and submit a description of the activity carried out, as well as the internet domains on which they will operate;

ii) will submit criminal record certificates issued by the Romanian competent authorities, or any other similar documents issued by the competent foreign authorities, which prove that the economic operator and its legal representatives or the individual who is authorised to carry out the activity have not been convicted for committing a crime with intent, which has not been subject to rehabilitation.

f) certifiers:

i) the economic operator will prove that they hold at least one of the following ISO certifications: ISO 17025, ISO 17020;

ii) the economic operator is not in an interdependent relationship with a gambling organizer able to hamper the performance of the activity.

g) auditors:

i) the economic operator proves that they hold at least one of the following ISO: ISO 17025 or ISO 17020 certifications, as well as it hold qualified personnel for attesting a security standard ISO 27001 or equivalent;

ii) the economic operator is not in an interdependent relationship with a gambling organizer, able to hamper the performance of the activity

(iii) the criminal record certificates issued by the Romanian competent authorities or similar documents, issued by foreign competent authorities, that prove that the economic operator and his legal representatives had not been convicted for any intended crime for which the rehabilitation did not interfere, must be submitted.

h) conformity assessment bodies:

i) the economic operator will prove that he holds at least one of the following ISO certifications: ISO 17025, ISO 17020 certifications;

(ii) the economic operator is not in an interdependency relation with any organizer of games of chance, able to hamper the performance of the activity;

(iii) the criminal record certificates issued by the Romanian competent authorities or similar documents, issued by foreign competent authorities, that prove that the economic operator and his legal representatives had not been convicted for any intended crime for which the rehabilitation did not interfere, must be submitted.



(3) The documents necessary for obtaining 2nd class licenses are stipulated in Annex 6b). (4) All holders of 2nd class license will communicate an electronic address that will be available in order to communicate with the Office. The documents transmitted at this address are considered to be communicated.

## **CHAPTER VII**

### **OBLIGATIONS OF GAMBLING ORGANISERS**

#### **Article 150**

(1) Depending on the specific gambling activities they carry out, gambling organisers will have the following obligations:

- a) to maintain and ensure the functioning of the gaming equipment and technical equipment which provides the support for organising, operating and broadcasting authorised games of chance in suitable conditions, in order to comply with the guidelines and operating parameters stipulated in the technical verifications and the game rules approved by the Committee.
- b) to ensure security of the technical equipment used to organise, operate and broadcast authorised games of chance, as well as the security of the gaming equipment and its accessories, such as: watches, counters, indicators, electronic displays, electricity supply system, including any seals applied;
- c) to submit all financial and accounting documents, game rules, technical verifications of the gaming equipment and the technical equipment which provides the support for organising, operating and broadcasting authorised games of chance, or any other documents requested by the control bodies stipulated by the law;
- d) to not organise games of chance which use gaming tables or authorised machines in any other premises apart from those approved by or communicated to the Office, as applicable;
- e) to keep a special register for casino activities, numbered and bound, in which every employee who has access to the gaming hall or cashier's desk must record their personal money on a daily basis, both when they start and when they finish work;
- f) to not participate and to not allow their own employees to participate, either directly or via intermediaries, in the games of chance organised by them according to the law;
- g) to display in Romanian, in a visible place, the value of the stakes, the value of an impulse, the payout percentage from the total amount of money played or the value of the prizes awarded for the games of chance for which a minimum payout percentage from the total amount of cash collected is stipulated, in accordance with the provisions of this Methodological Norms, to the game rules as well as the licence to organise games of chance and the authorisation(s) to operate games of chance, in accordance with the provisions of this Methodological Norms;
- h) to keep a unique control ledger at each premises, which must be numbered, bound and stamped in accordance with the legal provisions in force;
- i) to comply with the opening hours, which will be displayed in a visible place;
- j) to permanently keep a complaints and suggestions book available to players at the cashier's desk located in the gaming hall; this book will be numbered, bound and sealed by stamping by the territorial bodies of the National Office for Gambling with jurisdiction over the area where the gaming hall is located;
- k) to not credit money to the gambling participants and to assure the distribution of bonuses to the players according to the approved regulations;
- l) to take all necessary measures to ensure that every employee working in the gaming halls is provided with a badge bearing the name and surname of the respective individual, as well as his/her position;

m) to inform, by means of a letter, the territorial office of NOG that they have obtained the licence to organise games of chance and the authorisation to operate gaming equipment in the respective premises, within five working days from the date on which these documents enters into force;

n) to notify, by means of a letter, the territorial office of NOG with jurisdiction over the area in which the premises where the gaming equipment is to be moved are located, within five working days from the date of starting the activity;

o) to keep the licence to organise and the authorisation to operate the activity at their registered office or at the office or domicile of their authorized representative, and to display a copy of the licence to organise and the authorisation to operate their activity in a visible place within the premises or on the web page via which the activity is carried out;

p) to declare to the tax body until the payment term the fees stipulated at art. 13 (1) and (3) and to transmit to the National Office for Gambling a copy of the payment document in term of 5 days from the date of the payment;

q) organisers of games of chance characteristic to casinos and poker clubs are obliged to keep in their archive the stubs of all the entry tickets sold, which will act as supporting documents, for a period of minimum five years;

r) to not allow the access of minors to the premises where gambling activities are carried out, to the gaming equipment or to the computer systems which enable participation in games of chance;

s) to maintain the conditions taken into consideration at the moment of authorization for the entire validity period of the authorization;

ş) to not use the denomination “cazinou” or “casino” or other derived denominations by organizers who do not hold an authorization to operate such activity;

t) to observe the game rules approved by the Committee, as well as the provisions regarding the offer, transfer and record of bonuses;

ţ) to comply with the provisions of the present methodological norms regarding drafting/keeping of a daily and monthly record for each category of traditional and remote game of chance;

u) to comply with the provisions of the present methodological norms regarding NGO access to the central computerized system of the organizer;

(2) The ONJN personnel can participate at games of chance only in order to fulfill their job attributions.

(3) The following are prohibited:

a) the deed of the conformity assessment body to issue verification marks, labels or seals, or any other documents, without performing the verifications provided by the legal provisions in force;

b) the deed of the certifier/auditor to issue documents attesting inaccurate facts;

c) the deed of the affiliate to not communicate to the NOG, within 15 days from the date of conclusion, the affiliate agreement concluded with a remote gambling organizer;

## **CHAPTER VIII SANCTIONS**

### **Article 151**

(1) The following deeds will constitute infringements of the legal framework applicable to games of chance:

- a) non-compliance with the provisions of Article 23(2) and (3), Article 36(1), (2), (4), (5), (6), (7) and para. (10), Article 40(2), Article 42(1), Article 43, Article 55, Article 61, Article 65 (1) and (2), Article 68, Article 74(4), Article 78, Article 80, Article 82(3), Article 84 (4) (6), (7) (8) and (9), Article 86, Article 88, Article 104(1), Article 109, Article 117(2), Article 118(1), Article 126, Article 128, Article 129, Article 132 (7), Article 134(3), Article 136, Article 138(2), Article 139, Article 140 and Article 150(1) letters a), b), r), s) ş), t), ı), u), Article 150(3).
- b) non-compliance with the provisions of Article 6(1), (3), (4) and (5), Article 8(2), (3), (5), (6) and (7), Article 9 (1), (4), (5) and (6), Article 12, Article 13(1), (2) and (3), Article 17, Article 49 and Article 150(1) letters c)-e), g)-p)
- c) non-compliance with Article 10(4), Article 59 and Article 150(1) letter r).

(2) The infringements stipulated in paragraph 1 will be sanctioned with a fine for the legal person, as follows:

- a) between RON 25 000-RON 50 000, for the deeds stipulated in paragraph 1(a);
- b) between RON 10 000-RON 25 000, for the deeds stipulated in paragraph (1)(b) and c);

(3) Depending on the consequences, the Committee may take the measure of suspending the authorisation(s) to operate games of chance for a period of up to six months, for each piece of gaming equipment or for all of the gaming equipment within a premise or for the specialized location/locations, as well as for the domains/operator's platforms depending on the severity of the ascertained deeds and their consequences, for any of the deeds stipulated in paragraph (1).

(4) In the situation provided at paragraph (3), the control bodies will forward the sanction proposal and proposed period to the Committee, along with the entire supporting documentation.

(5) The offender may pay within 48 hours from the date of conclusion of the minutes or, as the case may be, the date of communication of such minutes, half of the minimum of the fine provided by the present methodological norms; the ascertaining agent shall mention this possibility within the minutes.

### **Article 152**

(1) The control bodies within the National Gambling Office will have the right to ascertain infringements and apply civil sanctions, to control all aspects relating to the way in which gambling activities are carried out, established by the Emergency Ordinance or this methodological norms.

(2) The control stipulated at paragraph (1) is made also at the request of the criminal investigation bodies to which the ascertained aspects are forwarded to.

(3) The National Office for the Prevention and Combat against Money Laundering will have the right to carry out inspections according to its competencies granted by the specific legislation in force with regard to the prevention and combat of money laundering and the financing of terrorist acts.

(4) During the actions they carry out to verify and check compliance with the provisions of the Emergency Ordinance and this methodological norms, the competent bodies mentioned in paragraph 1 will notify the National Office for the Prevention and Combat of Money Laundering about any suspicions regarding money laundering operations or about any non-compliance with the obligations stipulated in Law no 656/2002, republished, with its subsequent amendments and additions.

#### **Article 153**

(1) Within the meaning of Article 23(2) of the Emergency Ordinance, clandestine contests will be understood to be those contests which are not carried out in an organised and authority-approved environment, such as: dog fighting, cock fighting or fighting involving any other animals, car races carried out in conditions other than those for which authorisations have been issued, etc.

(2) Within the meaning of Article 23(2) of the Emergency Ordinance, “clandestine” contests” will be understood as: “black-white” type of games performed with gaming means such as: game cards, rubber stamps, caps with grains, caps with ball or other similar types.

### **CHAPTER IX FINAL AND TRANSITORY PROVISIONS**

#### **Article 154**

The central tax authorities responsible will notify the ONJN about the organisers' failure to comply with their declaration or payment obligations or about their failure to establish a guarantee fund which covers the risk of non-payment of any obligations to the consolidated state budget, by the stipulated deadline or to the full amount.

#### **Article 155**

(1) Economic operators who hold a licence to organise and an authorisation/authorisations to operate games of chance on the date when these methodological norms come into force, and who meet the conditions stipulated in the Emergency Ordinance for discontinuing the activity, may operate the activity in compliance with the legislation in force on the date of their issuance until the expiry date of the licence to operate or the authorisation(s) to operate the activities, whichever event occurs first.

(2) The gambling equipment operated according to this article may not be moved to premises other than those owned by the organiser on the date when the latter notifies their intention to discontinue the activity.

(4) Economic operators who have notified their intention to discontinue the activity may not apply for new authorisations to operate games of chance for a period of 12 months from the expiry date of the authorisation, if the activity was operated in accordance with the provisions stipulated in paragraph 2.

## **Article 156**

(1) Until specialised companies obtain the licence to carry out technical inspections of the gaming equipment, gambling organisers will be able to carry out their activities using software programmes for which they hold certifications recognised in a Member State of the EU.

(2) For 90 days from the date when these norms enter into force, economic operators who do not hold a 2nd class Licence may carry out sale, purchase, rental or any other such operations required in order to obtain the usage right for the gaming equipment, providing that they comply with the conditions for notifying operations to the National Gambling Office.

(3) Organisers of slot-machine-type games will make sure that the all gaming equipment is interconnected to the organiser's unique computer system via the serial communication protocol, and that the computer system is connected to the terminal located at the National Gambling Office or the premises specified by the Office, in accordance with the order issued by the ONJN President. The interconnection will be made in term of maximum 12 months from the date of entering into force of these methodological norms.

(4) Economic operators who hold the right to organize and operate remote games of chance granted in accordance with article II para. (7) of Law no. 124/2015, shall perform their activity by observing the conditions established at the date of granting. The right to organize and operate mentioned above, granted on the basis of Monitoring Committee' decision for 12 months, may be revoked, canceled or suspended in the same conditions provided for the revocation, cancelation or suspension of the license to organize or authorization to operate the activity

## **FINAL PROVISIONS**

### **Article 157**

(1) Annexes 1-8 will form an integral part of these methodological norms.

(2) The equivalent in lei of the fees and other values established in euro currency by the Emergency Ordinance 77/2009 and these norms, other than those corresponding to the licence to organise and the authorisation to operate the activity, will be established annually on the basis of the currency exchange rate for the first working day in the month of October of the previous year, published in the Official Journal of the European Union.

### **Annex 1 of the methodological norms**

HEADING.....  
Name of the firm.....  
Registered office.....  
Sole Registration Number.....  
Country of origin.....  
Telephone.....  
email.....  
license no. ....valid until:.....  
date:.....

**STATEMENT**  
**regarding the sale/ purchase of gaming equipments**

I, the undersigned,.....identified with....., in the capacity of director of Commercial Company.....with the registered office in: county, locality.....str.....no.....block of flats.....staircase.....floor.....apt.....code....., having the sole registration number....., hereby declare the sale/ purchase of a number of.....gaming equipments as follows:

**\*T\***

No.	Type of gaming equipment	Series of the gaming equipment	Producer	Fabrication year	Deposit place*
1.	2	3	4	5	6

**\*ST\***

\*) To be filled in only by the economic operator that purchases the gaming equipments.

OPERATOR

S.S.

Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached electronically with digital signature.

**Annex 2 of the methodological norms**

HEADING.....  
Name of the firm.....  
Registered office.....  
Sole Registration Number.....  
Country of origin.....  
Telephone.....  
email.....  
license no. ....valid until:.....  
date:.....



### STATEMENT

#### *regarding import, intracommunity acquisition or the production of gaming equipments*

I, the undersigned,.....identified with....., in the capacity of director of Commercial Company.....with the registered office in: county, locality.....str.....no.....block of flats.....staircase.....floor.....apt.....code....., having the sole registration number....., hereby declare the import/intracommunity acquisition/ production of a number of.....gaming equipments as follows:

\*T\*

No.	Type of gaming equipment	Series of the gaming equipment	Producer	Fabrication year	Deposit place
1.	2	3	4	5	6

\*ST\*

OPERATOR

S.S.

Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached electronically with digital signature.

#### **Annex 3 of the methodological norms**

HEADING.....  
Name of the firm.....  
Registered office.....  
Sole Registration Number.....  
Country of origin.....  
Telephone.....  
email.....  
license no. ....valid until:.....  
date:.....

### STATEMENT

#### *regarding the removal from functioning of the gaming equipments*

I, the undersigned,.....identified with....., in the capacity of director of Commercial Company.....with the registered office in: county, locality.....str.....no.....block of flats.....staircase.....floor.....apt.....code....., having the sole registration number....., hereby declare the removal from functioning of a number of.....gaming equipments as follows:

\*T\*

No.	Type of gaming equipment	Series of the gaming equipment	Producer	Fabrication year	Way of removal from functioning*	Deposit place
1.	2	3	4	5	6	7

\*ST\*

\*) Scrapping, export, storage, conservation, deposit

OPERATOR

S.S.

Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached electronically with digital signature.

#### Annex 4 of the methodological norms

HEADING.....  
Name of the firm.....  
Registered office.....  
Sole Registration Number.....  
Country of origin.....  
Telephone.....  
email.....  
license no. ....valid until:.....  
date:.....

#### **STATEMENT** ***regarding the displacement of gaming equipments***

I, the undersigned,.....identified with....., in the capacity of director of Commercial Company.....with the registered office in: county, locality.....str.....no.....block of flats.....staircase.....floor.....apt.....code....., having the sole registration number....., hereby notify the displacement of a number of.....jack-pot type of gaming systems as follows:

\*T\*

No. Move	Type of gaming equipment	Series of the gaming equipment	Producer	Fabrication year	Address of the gaming equipment	address
-------------	-----------------------------	-----------------------------------	----------	---------------------	------------------------------------	---------

1.	2	3	4	5	6	
----	---	---	---	---	---	--

7

\*ST\*

OPERATOR  
S.S.

Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached electronically with digital signature.

Annex 5a)\* of the methodological norms – Template of license to organize games of chance

**ROMÂNIA**



**ONJN ONJN**

**OFICIUL NAȚIONAL PENTRU  
JOCURI DE NOROC  
COMITETUL DE SUPRAVEGHERE**

**LICENȚĂ**

[ ]  
seria

pentru organizarea jocurilor de noroc

[ ]  
denumire solicitant

**SPECIMEN**

Denumirea societății comerciale:

Sediul social:

Cod unic de înregistrare :

Valabilă de la 01/07/2015 până la 30/06/2025



Nu se admit șterșături și modificări.

Tipărit la C.N. Tipăritoria Națională S.A.

\* This reproduces a facsimile.

Annex 5b) of the methodological norms – Template of license to organize temporary games of chance

**ROMÂNIA**

**ONJN**

**OFICIUL NAȚIONAL PENTRU  
JOCURI DE NOROC**

**COMITETUL DE SUPRAVEGHERE**

**LICENȚĂ**

seria

pentru organizarea jocurilor de noroc

denumire activitate

**SPECIMEN**

Denumirea societății comerciale:

Sediul social:

Cod unic de înregistrare :

Valabilă de la 01/07/2015 până la 30/06/2025



Nu se admite ștersături și modificări.

Tipărit la C.N. Tipăritărie Națională S.A.

\* This reproduce a facsimile.



Annex 5c) of the methodological norms – Template of authorization to operate games of chance



\* This reproduces a facsimile.





The image shows a template for an authorization to operate games of chance, issued by the Romanian National Office for Games of Chance (Oficiul Național pentru Jocuri de Noroc) and its Supervisory Committee (Comitetul de supraveghere). The document is titled "Autorizație de exploatare a jocurilor de noroc" (Authorization to operate games of chance). It features a blue border with a repeating geometric pattern. At the top center is the Romanian coat of arms. Below it, the text "ROMÂNIA" and "OFICIUL NAȚIONAL PENTRU JOCURI DE NOROC" are printed. The "Comitetul de supraveghere" (Supervisory Committee) is also mentioned. The main title "Autorizație de exploatare a jocurilor de noroc" is prominently displayed. A box for the "seria" (series) number is provided. The "Denumirea societății comerciale:" (Commercial company name:) field is followed by a large red "SPECIMEN" watermark. The "Cod Unic de Înregistrare:" (Unique Registration Code:) and "Jocul de noroc autorizat:" (Authorized game of chance:) fields are also present. A box for the "Jocul de noroc autorizat:" field is followed by a note: "( se înscrie tipul activității pentru care se solicită autorizarea )" (the type of activity for which authorization is requested is entered). The "Adresa spațiului autorizat:" (Authorized space address:) field is also present. The validity period is stated as "Valabilă de la 01/05/2015 până la 30/04/2016". At the bottom, there are two footnotes: "Nu se admit ștersături sau modificări." (No erasures or modifications are allowed.) and "Tipărit la C.N. "Imprimeria Națională" S.A." (Printed at C.N. "Imprimeria Națională" S.A.).

ROMÂNIA  
OFICIUL NAȚIONAL PENTRU JOCURI DE NOROC  
Comitetul de supraveghere

**Autorizație  
de exploatare a jocurilor de noroc**

seria

Denumirea societății comerciale:

**SPECIMEN**

Cod Unic de Înregistrare:

Jocul de noroc autorizat:

( se înscrie tipul activității pentru care se solicită autorizarea )

Adresa spațiului autorizat:

Valabilă de la 01/05/2015 până la 30/04/2016

Nu se admit ștersături sau modificări.

Tipărit la C.N. "Imprimeria Națională" S.A.

\* This reproduce a facsimile.

## Annex 6a) of the methodological norms

### DOCUMENTS

#### *necessary for granting the 1<sup>st</sup> class license for the organization of games of chance*

In order to obtain the license for the organization of games of chance, economic operators will submit to the Committee the following documentation:

1. Application, according to the attached model, via which is requested to the Committee the granting of the license for the organization of games of chance. The application will be drafted and written in Romanian language, will be signed by the legal representative of the economic operator and will contain the address of the economic operator's registered office, contact details: telephone number, fax, e-mail address and the type of activity for which the license is requested.
2. the list of documents according to the attached model;
3. Certificate of registration with the Trade Registry Office/ similar document issued by the authority;
4. Ascertaining certificate issued by the Trade Registry Office/ similar document issued by the authority, stating at least the following;
  - (i) identification elements of the economic operator, namely: form of organization, name, address of the registered office, sole registration number and other identification data;
  - (ii) subscribed and paid-up share capital;
  - (iii) shareholders or partners structures, as the case may be;
  - (iv) name, first name and address of the legal representatives;
  - (v) main object of activity, according to legal regulations;
  - (vi) secondary registered offices and their addresses;
5. Articles of incorporation of the company;
6. documents appointing an authorized representative in Romania, namely: contract and/or power of attorney;
7. The approval from the police authorities granted to all legal representatives/associates who hold a minimum of 5% of the shares/directors. If the legal representative is an economic operator, the approval of the police authorities granted to all its legal representatives will be presented;
8. criminal record or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/directors is situated, (in the situation in which there are several legal representatives, the criminal record or other documents issued by the competent authorities for each of them, will be presented), certifying that no final judgment has been rendered against him, for which rehabilitation did not interfere, in Romania or in a foreign state, for a crime stipulated by the emergency ordinance or for any other crime committed with intent for which has been imposed a punishment of minimum 2 years of imprisonment;
9. Tax clearance certificate, issued by the competent fiscal authority that administers the fiscal receivables owed by the economic operator.
10. Affidavit of the legal representative/authorized representative of the economic operator (if there are several legal representatives, the declarations for each of them will be presented) stating the following:

- (i) the economic operator has not been convicted by means of a final judgment of conviction which was not subject to rehabilitation;
  - (ii) he is not in a state of incompatibility, as such is regulated by the law;
  - (iii) the identity of the beneficial owners, as defined by Law no. 656/2002 for preventing and sanctioning money laundering, as well as for the implementation of measures for preventing and combat terrorism financing, republished, with subsequent amendments, as well as the fact that they were not convicted through a final judgment for which the rehabilitation did not interfere for a crime provided by the present emergency ordinance or for any other crime committed with intent for which has been imposed a punishment of minimum 2 years of imprisonment and that he is not in a state of incompatibility, as such regulated by the law.
  - (iv) against the legal person or its representatives had not been taken administrative measures - like cancellation, revocation or suspension of the license or authorization - in the domain of games of chance, nor such persons are in the process of being applied administrative measures, in accordance with the provisions of the emergency ordinance, for a period of one year before the date of submission of the license application;
  - (v) in the last 3 years they had not been shareholders and/or directors within companies that entered into bankruptcy;
  - (vi) the director/ authorized representative has experience in the domain of organizing and operating games of chance;
  - (vii) the director/ authorized representative is knowledgeable of the current legislation specific to games of chance;
  - (viii) the director/ authorized representative is not in a state of incompatibility, as such is regulated by the Romanian law;
11. only for betting activity, an affidavit of the legal representative and authorized representative of the economic operator, stating that he does not have, directly or via intermediaries, any connection with the activities whose events are subject to the the bets for which the license to organize and authorization to operate are sought, will be presented;
12. only for the activity of traditional games like: casino, poker club, poker festival and for remote games of chance, as the case may be, the proof of registration as personal data controller given by the National Supervisory Authority for Personal Data Processing/ similar authorities from the E.U.;
13. the proof of existence of the central computer system/ its certification, as the case may be, according to the provisions of the President's Order of NOG.
14. the proof of ownership or use of the intellectual property rights used by the operator of games of chance;
15. only for remote games of chance, the following will be presented:
- (i) the proof of existence of a bank account for depositing the players' funds opened at a bank from Romania;
  - (ii) certification of the entire computer system used;
  - (iii) the proof of placement on the national territory of the safe server and mirror server.
16. other data and information requested by the National Office for Gambling. Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached electronically with digital signature.

APPLICATION  
for obtaining the 1<sup>st</sup> class license for organizing games of chance

HEADING.....  
Company.....  
Registered office.....  
Sole Registration Number.....  
Country of origin.....  
Telephone.....  
email.....

TO:  
NATIONAL OFFICE FOR GAMBLING  
General Directorate for Authorizing Games of Chance

We, the undersigned (legal/authorized representative's family name and first name).....legal/authorized representative of the  
Company.....,Sole Registration Number....., with the  
registered office in  
(country).....(address).....  
.....hereby request to grant the 1<sup>st</sup> class license for organizing games of chance for the games  
of chance of type (type of the game).....  
We hereby declare that we are aware of the provisions of the legislation that regulates the  
games of change in Romania.

Date:

ORGANIZER,  
S.S.

## LIST OF DOCUMENTS

for obtaining 1st class license

No.	Documents	No. of pages (from.....to.....)
1.	Application	
2.	Certificate of registration at the Trade Registry Office/ similar document issued by the authority	
3.	Ascertaining certificate issued by the Trade Registry Office/ similar document issued by the authority	
4.	Articles of incorporation of the company	
5.	Documents appointing the authorized representative in Romania	
6.	The approval of the police authorities for the authorized representative/ associates/directors	
7.	Criminal record for the authorized representative/associates/ directors	
8.	Tax record certificate for the company/authorized representative/associates/ directors (for Romanian citizens)	
9.	Tax clearance certificate for the company/authorized representative/associates/ directors	
10.	Affidavit of the legal representative/ authorized representative (according to point 10 from Annex 6)	
11.	Affidavit of the legal representative and of the authorized representative (according to point 11 from Annex 6)	
12.	Proof of registration as personal data controller	
13.	Proof of existence of central computer system/ its certification, as the case may be	
14.	Proof of ownership or use of the intellectual property rights used by the operator of games of chance	

15.	Proof of existence of a bank account for depositing players' funds opened at a bank from Romania for the remote games of chance	
16.	Proof of certification of the full computer system used by the operator of games of chance for remote games of chance	
17.	Proof of the existence on the national territory of the safe server and mirror server for remote games of chance.	
18.	Proof of submission of the request for obtaining the authorization of performing games of chance	
19.	Terms and conditions	
20.	Game rules	
21.	Other data and information requested by the National Office for Gambling.	



**DOCUMENTS**

***necessary for granting the 2<sup>nd</sup> class license for organizing games of chance***

I. In order to obtain 2nd class license, economic operators that offer management and hosting facilities on the game platform, respectively : operators that hold management and integration platform specific to remote games of chance as well as the operators of server storing centers (data center), will present to the Committee the following:

1. Application, according to the attached model, via which it is requested to the Committee the 2<sup>nd</sup> Class license. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain the address of the economic operator's registered office, contact details; telephone number, fax, e-mail address and the type of activity for which the license is requested.
2. the list of documents;
3. Certificate of registration with the Trade Registry Office/ similar document issued by the authority;
4. Ascertaining certificate issued by the Trade Registry Office/ similar document issued by the authority, that can prove minimum the following:
  - (i) identification elements of the economic operator, namely form of organization, name, address of the registered office, sole registration number and other identification data;
  - (ii) subscribed and paid-up share capital;
  - (iii) the structure of shareholders or associates, by case;
  - (iv) family name, first name and address of the legal representatives
  - (v) main object of activity, according to legal regulations;
  - (vi) secondary registered offices and their addresses;
5. Articles of incorporation of the company;  
;
6. criminal record or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/directors is situated, (in the situation in which there are several legal representatives, the criminal record or other documents issued by the competent authorities for each of them, will be presented), stating that no final judgement of conviction has been rendered against him, for which the rehabilitation did not interfere, in Romania or in a foreign state, for a crime stipulated by the emergency ordinance or for any other crime committed with intent for which a minimum of 2 year prison sentence was applied;
7. Tax clearance certificate, issued by the competent fiscal authority that administers the fiscal receivables owed by the economic operator.
- (8). Statement of conformity of services that the economic operator can perform in the benefit of the organizer of games of chance ;

II. In order to obtain 2nd class license, economic operators that perform activities of production, distribution, repairs and maintenance for the gaming equipment, import, export, intracommunity acquisition, intracommunity delivery or other activities with components or gaming equipment, will present to the Committee the following documentation:

1. Application, according to the attached model, via which is requested to the Committee the granting of the 2<sup>nd</sup> class license .The application will be drafted and written in Romanian language, will be signed by the legal representative of the economic operator and will contain the address of the economic operator's registered office, contact details; telephone number, fax, e-mail address and the type of activity for which the license is requested.
2. the list of documents;
3. Certificate of registration with the Trade Registry Office/ similar document issued by the authority;
4. Ascertaining certificate issued by the Trade Registry Office/ similar document issued by the authority, that can prove minimum the following;
  - (i) identification elements of the economic operator, namely; form of organization, name, address of the registered office, sole registration number and other identification data;
  - (ii) subscribed and paid-up share capital;
  - (iii) the structure of shareholders or associates, by case;
  - (iv) family name, first name and address of the legal representatives
  - (v) main object of activity, according to legal regulations;
  - (vi) secondary registered offices and their addresses;
5. Articles of incorporation of the company;  
;
6. criminal record or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/directors is situated, (in the situation in which there are several legal representatives, the criminal record or other documents issued by the competent authorities for each of them, will be presented), stating that no final judicial judgment of conviction has been rendered against him, for which the rehabilitation did not interfere, in Romania or in a foreign state, for a crime stipulated by the emergency ordinance or for any other crime committed with intent for which a minimum of 2 year prison sentence was applied;
7. Tax clearance certificate, issued by the competent fiscal authority in administrating, from a fiscal point of view, of the economic operator.
8. Statement of conformity of services that the economic operator can perform in the benefit of the organizer of games of chance;

III. In order to obtain 2nd class license, payment processors will present to the Committee the following documentation:

1. Application, according to the attached model, via which it is requested to the Committee the granting of the 2<sup>nd</sup> Class license. The application will be drafted and written in Romanian language, will be signed by the legal representative of the economic operator and will contain the address of the

economic operator's registered office, contact details, namely: telephone number, fax, e-mail address and the type of activity for which the license is requested.

2. the list of documents;
3. Certificate of registration with the Trade Registry Office/ similar document issued by the authority;
4. Ascertaining certificate issued by the Trade Registry Office/ similar document issued by the authority, stating minimum the following:
  - (i) identification elements of the economic operator, namely: form of organization, name, address of the registered office, sole registration number and other identification data;
  - (ii) subscribed and paid-up share capital;
  - (iii) the structure of shareholders or associates, as the case may be;
  - (iv) family name, first name and address of the legal representatives
  - (v) main object of activity, according to legal regulations;
  - (vi) secondary registered offices and their addresses;
5. Articles of incorporation of the company;
6. will present, as the case may be, the authorizing documentation as payment institution or the documents proving the right to organize traditional games of chance;
7. Affidavit of the legal representative of the economic operator (if there are several legal representatives, the declarations of each of them will be presented) stating the following:
  - (i) the identity of the beneficial owners, as defined by Law no. 656/2002 for preventing and sanctioning money laundering, as well as for the implementation of measures for preventing and combat terrorism financing, republished, with subsequent amendments, as well as the fact that they were not convicted by means of a final judgment for which rehabilitation did not interfere for a crime stipulated by the present emergency ordinance or for any other crime committed with intent for which a minimum of 2 year prison sentence was applied and that he is not in a state of incompatibility, as regulated by the law.
  - (ii) only for organizers of games of chance, that against the legal person or its representatives had not been taken administrative measures - like cancellation, revocation or suspension of 2nd class nor such persons are in the process of being applied administrative measures, in accordance with the provisions of the emergency ordinance, for a period of one year before the date of submission of the license application;
  - (iii) in the last 3 years they had not been shareholders and/or directors/ authorized representatives within companies that declared bankruptcy;

IV. In order to obtain 2nd class license, firms of manufacturing and/ or distribution of software specialized in the domain of games of chance and the firms that transmit images with games of chance specific to casinos, will present to the Committee the following documentation:

1. Application, according to the attached model, via which it is requested to the Committee the granting of the 2<sup>nd</sup> Class license. The application will be drafted in Romanian language, will be signed by the legal representative of the economic operator and will contain the address of the economic operator's registered office, contact details, namely: telephone number, fax, e-mail address and the type of activity for which the license is requested.
2. the list of documents;

3. Certificate of registration with the Trade Registry Office/ similar document issued by the authority;
4. Ascertaining certificate issued by the Trade Registry Office/ similar document issued by the authority, stating minimum the following:
  - (i) identification elements of the economic operator, namely: form of organization, name, address of the registered office, sole registration number and other identification data;
  - (ii) subscribed and paid-up share capital;
  - (iii) the structure of shareholders or associates, as the case may be;
  - (iv) family name, first name and address of the legal representatives
  - (v) main object of activity, according to legal regulations;
  - (vi) secondary registered offices and their addresses;
5. Articles of incorporation of the company;
6. criminal record or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/directors is situated, (in the situation in which there are several legal representatives, the criminal record or other documents issued by the competent authorities for each of them, will be presented), stating that no final judgment of conviction has been rendered against him, for which rehabilitation did not interfere, in Romania or in a foreign state, for a crime stipulated by the emergency ordinance or for any other crime committed with intent for which a minimum of 2 year prison sentence was applied;
7. Tax clearance certificate, issued by the fiscal authority competent in administrating, from a fiscal point of view, the economic operator.
8. Affidavit of the legal representative of the economic operator (if there are several legal representatives, the declarations of each of them will be presented) stating the following:
  - (i) the identity of the beneficial owners, as defined by Law no. 656/2002 for preventing and sanctioning money laundering, as well as for the implementation of measures for preventing and combat terrorism financing, republished, with subsequent amendments, as well as the fact that they were not convicted through a final judgment of conviction for which rehabilitation did not interfere for a crime provided by the present emergency ordinance or for any other crime committed with intent for which a minimum of 2 year prison sentence was applied and that he is not in a state of incompatibility, as regulated by the law.
  - (ii) against the legal person or its representatives had not been taken administrative measures - like cancellation, revocation or suspension of 2nd class nor such persons are in the process of being applied administrative measures, in accordance with the provisions of the emergency ordinance, for a period of one year before the date of submission of the license application;
  - (iii) in the last 3 years they had not been shareholders and/or directors within companies that declared bankruptcy;
  - (iv) conformity of the services that the economic operator can perform for the benefit of organizers of games of chance;
  - (v) the director has experience in the domain for which the 2<sup>nd</sup> Class license is requested
9. will present the documents proving copyright/ right of distribution of informational programs;
10. for the companies which transmit images with games of chance specific to casinos, will be presented: demonstrative documents of the exploitation place and supply agreement.

V. In order to obtain 2nd class license, affiliated persons will present to the committee the following documentation:

1. Application, according to the attached model, via which it is requested to the Committee the granting of the 2<sup>nd</sup> Class license. The application will be drafted and written in Romanian language, will be signed by the legal representative/authorized natural person of the economic operator and will contain the address of the economic operator's registered office, contact details, namely: telephone number, fax, e-mail address and the type of activity for which the license is requested.
2. the list of documents
3. Certificate of registration with the Trade Registry Office/ similar document issued by the authority;
4. Ascertaining certificate issued by the Trade Registry Office/ similar document issued by the authority, stating minimum the following:
  - (i) identification elements of the economic operator, namely: form of organization, name, address of the registered office, sole registration number and other identification data;
  - (ii) subscribed and paid-up share capital;
  - (iii) the structure of shareholders or associates, by case;
  - (iv) family name, first name and address of the legal representatives
  - (v) main object of activity, according to legal regulations;
  - (vi) secondary registered offices and their addresses;
5. Articles of incorporation of the company;
6. Legal representatives of the economic operator or the natural person authorized to perform the activity will elaborate and submit a description of the activity performed, as well as the internet domains on which they will operate.
7. criminal record or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/directors is situated, (in the situation in which there are several legal representatives, the criminal record or other documents issued by the competent authorities for each of them, will be presented), stating that there is no final judgment of conviction against him, for which rehabilitation did not interfere, in Romania or in a foreign state, for a crime provided by the emergency ordinance or for any other crime committed with intent for which a minimum of 2 year prison sentence was applied;
8. as the case may be, the affiliation contract concluded with the organizer of remote games of chance.

VI. In order to obtain 2nd class license, certifiers, will present to the Committee the following documentation:

1. Application, according to the attached model, via which it is requested to the Committee the granting of the 2<sup>nd</sup> Class license. The application will be drafted and written in Romanian language, will be signed by the legal representative of the economic operator/authorized natural person and will contain the address of the economic operator's registered office, contact details, namely: telephone number, fax, e-mail address and the type of activity for which the license is requested.
2. the list of documents;

3. Certificate of registration with the Trade Registry Office/ similar document issued by the authority;

4. Ascertaining certificate issued by Trade Registry Office/ similar document issued by the authority, stating minimum the following::

(i) identification elements of the economic operator, namely: form of organization, name, address of the registered office, sole registration number and other identification data;

(ii) subscribed and paid-up share capital;

(iii) the structure of shareholders or associates, by case;

(iv) family name, first name and address of the legal representatives

(v) main object of activity, according to legal regulations;

(vi) secondary registered offices and their addresses;

5. Articles of incorporation of the company;

6. criminal record or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/directors is situated, (in the situation in which there are several legal representatives, the criminal record or other documents issued by the competent authorities for each of them, will be presented), certifying that there is no final judgment of conviction against him, for which rehabilitation did not interfere, in Romania or in a foreign state, for an offence provided by the emergency ordinance or for any other offence committed with intention for which a minimum of 2 year prison sentence was applied;

7. The economic operator will prove that he holds at least one of the following ISO certifications, respectively ISO 17025 or ISO 17020 and that it has qualified personnel for attesting a security standard ISO 27001 or equivalent;

Affidavit of the legal representative of the economic operator (stating the following:

the economic operator is not in an interdependency relation with any organizer of games of chance, able to hinder the performance of the activity

VII. In order to obtain 2nd class license, auditors, will present to the Committee the following documentation:

1. Application, according to the attached model, via which it is requested to the Committee the granting of the 2<sup>nd</sup> Class license. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator/authorized natural person and will contain the address of the economic operator's registered office, contact details; telephone number, fax, e-mail address and the type of activity for which the license is requested.

2. the list of documents;

3. Certificate of registration at the Office of Trade Register/ similar document issued by the authority;

4. Ascertaining certificate issued by the Office of Trade Register/ similar document issued by the authority, that can prove minimum the following::

(i) identification elements of the respective economic operator; form of organization, name, address of the registered office, sole registration number and other identification data;

(ii) subscribed and paid-up share capital;

(iii) the structure of shareholders or associates, by case;

(iv) family name. first name and address of the legal representatives

(v) main object of activity, according to legal regulations;



(vi) secondary registered offices and their addresses;

5. Articles of incorporation of the company;

6. criminal record or other document issued by the competent authorities on whose jurisdiction the last known domicile/registered office of the legal representatives/associates/administrators is situated, (in the situation in which there are various legal representatives, the criminal record or other documents issued by the competent authorities for each of them, will be presented), that will prove the fact that there is no final judicial sentence of conviction against him, for which the rehabilitation did not interfere, in Romania or in a foreign state, for an offence provided by the emergency ordinance or for any other offence committed with intention for which a minimum of 2 year prison sentence was applied;

7. The economic operator will make the proof that he holds at least one of the following ISO certifications, respectively ISO 17025 or ISO 17020;

8. Affidavit of the legal representative of the economic operator () the economic operator is not in an interdependency relation with any organizer of games of chance, able to hinder the performance of the activity

VIII. In order to obtain 2nd class license, the organisms of evaluation of conformity/BRM will present to the Committee the following documentation:

1. Application, according to the attached model, via which it is requested to the Committee the granting of the 2<sup>nd</sup> Class license. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator/authorized natural person and will contain the address of the economic operator's registered office, contact details; telephone number, fax, e-mail address and the type of activity for which the license is requested.

2. the list of documents;

3. Certificate of registration at the Office of Trade Register/ similar document issued by the authority;

4. Ascertaining certificate issued by the Office of Trade Register/ similar document issued by the authority, that can prove minimum the following;

(i) identification elements of the respective economic operator; form of organization, name, address of the registered office, sole registration number and other identification data;

(ii) subscribed and paid-up share capital;

(iii) the structure of shareholders or associates, by case;

(iv) family name. first name and address of the legal representatives

(v) main object of activity, according to legal regulations;

(vi) secondary registered offices and their addresses;

5. Articles of incorporation of the company;

;

6. The economic operator will make the proof that he holds at least one of the following ISO certifications, respectively ISO 17025 or ISO 17020;

7. Statement of conformity of the services performed by the economic operator for the benefit of organizers of games of chance;

8. Statutory declaration of the legal representative/ attesting that the economic operator is not in an interdependency relation with any organizer of games of chance, able to hinder the performance of the activity.

9. Any other data or information requested by the NOG.

Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached/ transmitted electronically with digital signature.

ROMBET

APPLICATION  
for obtaining the 2<sup>nd</sup> class license of organizing games of chance

HEADING.....  
Company.....  
Registered office.....  
Sole Registration Number.....  
Country of origin.....  
Telephone.....  
email.....

TO:  
NATIONAL OFFICE FOR GAMBLING  
General Directorate for Authorizing Games of Chance

We, the undersigned (legal representative's family name and first name).....legal representative of the Company.....,Sole Registration Number....., with the registered office in (country).....(address).....here by request to obtain the license for organizing 2nd class games of chance for the games of chance of the type (type of activity).....  
We hereby declare that we are aware of the provisions of the legislation that regulates games of change in Romania.

Date:

ORGANIZER,  
S.S.

**DOCUMENTS**

**necessary in order to obtain the authorization for operating games of chance**

**I. For traditional games of chance**

**A. For the authorization of operating games of chance of fixed betting/mutual/betting exchange type**

1. Application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type of activity for which the license is requested as well as the locations/ agencies in which the activity will be performed.
2. A detailed description of the activity, including the location where the server is placed. The means of interconnection with the bets agencies, the means and the guarantee of security of centralized information that concerns the total turnovers for each bet agency as well as the means of interconnection with the system installed at the level of the National Office for Gambling has to be mentioned.
3. The functioning regulation of each game, in which, if the case, the percentage rate offered for the winnings from the total turnover of cash collection.
4. The documents that prove the right of property or the rights of use of the games spaces (only for the work points that are not contained in the ascertaining certificate issued by the Office of Trade Register
5. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, assets, as well as the location in which the server is placed.
6. documents that can prove the right of use granted to the organizer by the holder of right of the informatics program.
7. the proof regarding the creation of the warranty fund
8. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety
9. For the addition of new bets agencies:
  - a) application regarding the registration of new bets agencies. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: the identification data of the solicitor, location of the agencies and the terminals interconnected in the system within it.
  - b) the means of interconnection with the reference server of the system;
  - c) a statutory declaration from the part of the organizer that the space/spaces in which the activity will be performed correspond/s from a sanitary point of view and respects the technical regulations about safety at work and fire safety

## **B. For the authorization of operating games of chance in casinos:**

1. Application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type of activity for which the license is requested as well as the locations/ agencies in which the activity will be performed.
2. A detailed description of the activity, including the sketch of the game premises, with the place of settlement of the basic and auxiliary gaming equipment;
3. The functioning regulation of each game, in which, if the case, the percentage rate offered for the winnings from the total turnover of cash collection.
4. The documents that prove the right of property or the right of use of the games space, as well as the proof of registration as work point;
5. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, assets and others;
6. the proof regarding technical verifications issued by the conformity evaluation bodies, only if the case;
7. documents that prove the legal provenance of the gaming equipment;
8. proof regarding the creation of the guarantee fund;
9. person designated at the level of executive administration for assuring the conformity regarding the conditions of authorizing
10. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety;
11. for the addition/displacement of the gaming equipment
  - a) the application regarding the addition to the authorization or notification of displacement of the gaming equipment. The application/notification will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type and series of the gaming equipment that make the object of the application as well as the game premises in which the activity will be performed;
  - b) a detailed description of the activity, including the new sketch of the game premises, with the placement spot of the gaming equipment;
  - c) the functioning regulation of each game, in which, if the case, the percentage offered for the winnings from the total turnover of cash collection .
  - d) documents that prove the legal provenance of the gaming equipment;
  - e) proof regarding the creation of the guarantee fund;
  - f) the proof regarding technical verifications issued by conformity evaluation bodies, only if the case;

**C. For the authorization of operating games of chance specific to poker clubs:**

1. Application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type of activity for which the license is requested as well as the locations/ agencies in which the activity will be performed.
2. A detailed description of the activity, including the sketch of the game premises, with the place of settlement of the basic and auxiliary gaming equipment;
3. The functioning regulation of each game;
4. The documents that prove the right of property or the right of use of the games space, as well as the proof of registration as work point;
5. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, assets and other aspects provided by the current legal provisions;
6. documents that prove the legal provenance of the gaming equipment;
7. proof regarding the creation of the guarantee fund;
8. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety.

**D. For the authorization of operating gaming equipments of the slot-machine/ electronic devices with limited-risk winnings/ video lottery games type :**

1. application regarding the authorizing of the gaming equipments of slot-machine type. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor,, the type and series of the gaming equipment that make the object of the application as well as the game premises in which the activity will be performed, distinctively for each premises;
2. The functioning regulation of each game, where, mandatorily, the percentage rate given for the winnings from the total turnover of the cash collections;
3. The documents that prove the right of property or the right of use of the games space, as well as the proof of registration as work point;
4. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, assets, description and functioning of the centralizing information system and others;
5. the proof regarding technical verifications issued by conformity evaluation bodies;
6. documents that prove the legal provenance of the electronic winning awarding devices
7. proof regarding the creation of the guarantee fund;
8. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety.



#### **E. For the authorization of operating games of chance of bingo -type in the gaming hall**

1. Application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type of activity for which the license is requested as well as the locations/ agencies in which the activity will be performed.
2. A detailed description of the activity, including the sketch of the game premises, with the place of settlement of the basic and auxiliary gaming equipment;
3. The functioning regulation, in which, mandatorily, the percentage rate given for the winnings from the total turnover of cash collections will be stipulated;
4. The documents that prove the right of property or the right of use of the games space, as well as the proof of registration as work point;
5. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, assets, description and functioning of the centralizing information system and others;
6. the proof of the technical verification of the turbo-blower, issued by conformity evaluation bodies;
7. documents that prove the legal provenance of the basic and auxiliary gaming equipment;
8. proof regarding the creation of the guarantee fund;
9. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety.

#### **F. For the authorization of operating bingo games via television network systems:**

1. application regarding the authorizing of the gaming equipments of slot-machine type. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor,, the type and series of the gaming equipment that make the object of the application as well as the game premises in which the activity will be performed, including televised component and also the premises through which the distribution of cartons will be made
2. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, of assets, etc. including the location in which the server will be placed. The method of data collection in the informational system, the method and guarantee of the security of centralized information, as well as the method of interconnection with the system installed at the level of the National Office for Gambling will be stipulated;
3. the agreement concluded for the performance of the activity with the televised programs speaker;
4. The functioning regulation of each game, where the percentage rate given for the winnings from the total turnover of the cash collections will be stipulated;

5. the proof regarding technical verifications of the gaming equipment issued by conformity evaluation bodies;
6. documents that prove the legal provenance of the basic and auxiliary gaming equipment;
7. proof regarding the creation of the guarantee fund;
8. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety.

**G. For the authorization of operating tombola:**

1. application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor,, the type and series of the gaming equipment that make the object of the application, the premises in which the activity will be performed, as well as the functioning schedule;
2. A detailed description of the activity, including the sketch of the game premises, with the place of settlement of the basic and auxiliary gaming equipment;
3. The functioning regulation, in which, mandatorily, the percentage rate given for the winnings from the total turnover of cash collections will be stipulated;
4. The documents that prove the right of property or the right of use of the games space, as well as the proof of registration as work point;
5. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, of assets and others;
6. the proof regarding technical verifications issued by conformity evaluation bodies;
7. documents that prove the legal provenance of the basic and auxiliary gaming equipment
8. proof regarding the creation of the guarantee fund;
9. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety.

**H. For the authorization of operating temporary games of chance provided at art. 10 paragraph (1) letter (c), letter (e), point(i) and letter (f) from the emergency ordinance:**

1. Application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type of game that makes the object of the application, gaming premises in which the activity will be performed as well as the functioning schedule;
2. A detailed description of the activity, including the sketch of the game premises, with the place of settlement of the basic and auxiliary gaming equipment;
3. The functioning regulation, in which, mandatorily, the percentage rate given for the winnings from the total turnover of cash collections will be stipulated;

4. The documents that prove the right of property or the right of use of the games space, as well as the proof of registration as work point;
5. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, of assets and others;
6. the proof regarding technical verifications issued by conformity evaluation bodies;
7. documents that prove the legal provenance of the basic and auxiliary gaming equipment
8. proof regarding the creation of the guarantee fund;
9. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety.

#### **I. For the authorization of performing poker festival:**

1. Application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type of gaming equipment that makes the object of the application, gaming premise/s in which the activity will be performed, where the case, as well as the functioning schedule;
2. A detailed description of the activity, including the sketch of the game premises, with the place of settlement of the basic and auxiliary gaming equipment;
3. The functioning regulation of each game
4. The documents that prove the right of property or the right of use of the games space, as well as the proof of registration as work point;
5. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, of assets and other aspects provided by the legal norms in force;
6. documents that prove the legal provenance of the gaming equipment
7. proof regarding the creation of the guarantee fund;
8. a statutory declaration from the part of the organizer stating that the spaces in which the activity will be performed correspond from a sanitary point of view and respects the technical regulations about safety at work and fire safety.

#### **II. For remote games of chance**

##### ***For the authorization of organizing remote games of chance***

1. application for authorization of the activity. The application will be drafted and written in Romanian language, will be signed by the legal representative/authorized representative of the economic operator and will contain: identification data of the applicant, description of the gaming and

technical equipments that support the organization, operation and transmission of games of chance subject to the application, with the indication of the premises in which they are placed;

2. operating rules for each game, stating necessarily the payout percentage rate from the total revenues collected and the observance of the legal provisions;
3. terms and conditions regulating the use of the gaming platform;
4. documents proving ownership or use of the gaming equipment and technical equipment which provide support for organizing, operating and transmission of the games of chance subject to request
5. documents proving the performance of an audit over the technical equipments which provide support for organizing, operating and transmission of the games of chance subject to request;
6. documents proving the performance of the certifications for the gaming program, the theoretical award percentage rate (TAP) and the random numbers generator (RNG);
7. proof of establishing the guarantee fund;
8. affidavit of the legal representative / authorized representative stating that the premises in which the technical equipments that provide support for organizing, operating and transmission of games of chance will be installed and used, correspond/s from a sanitary point of view and respects the technical regulations about safety at work and fire safety, in case the operator holds the technical equipments on the Romanian territory;
9. documents proving the right of use granted to the organizer by the holder of right of the computer program;
10. proof of registration as personal data controller granted by the Supervisory Authority for Personal Data Processing / other authority from the E.U.
11. any other data, documents and information requested by the National Office for Gambling.

III. Any other types of games of chance, respectively new games or combinations of games defined at art. 10 paragraph (1) letter (a) -n) from the emergency ordinance:

1. Application regarding the authorizing of the activity. The application will be elaborated and written in Romanian language, will be signed by the legal representative of the economic operator and will contain: identification data of the solicitor, the type of gaming equipment that makes the object of the application, gaming premise/s in which the activity will be performed, where the case, as well as the functioning schedule;
2. A detailed description of the activity, including the sketch of the game premises, with the place of settlement of the basic and auxiliary gaming equipment;
3. The functioning regulation of each game, where, mandatorily, the percentage given for the winnings from the total turnover of the cash collections will be stipulated and with the conformation to the legal provisions;
4. The internal regulation policy - special part - regarding the organizing and performance of activities, in which it will be mentioned in a detailed way the following: tasks and attributions of the personnel, the financial-accounting evidence system, way of assuring the security of documents, information and data, the method of interconnection with the backup server and mirror server, their premises and also the interconnection method with the National Office for Gambling, as well as the recuperation plan after a disaster, the used backup system of the database;

5. the documents that prove the property or use right over the technical equipments that assure the support for the organization, performance and transmission of the games of chance that make the object of the application;
6. the documents that prove the execution of the audit over the technical equipments that assure the support for the organization, performance and transmission of the games of chance that make the object of the application
7. the documents that prove the execution of certifications for the game program, the theoretical percentage rate of recompense (TPR) and the random numbers generator (RNG);
8. proof regarding the creation of the guarantee fund;
9. a statutory declaration from the part of the legal / authorized representative that the space/s in which the technical equipments that assure the support for the organization, performance and transmission of games of chance will be installed and used, correspond/s from a sanitary point of view and respects the technical regulations about safety at work and fire safety, in the situation in which it holds technical equipments on the Romanian territory;
10. documents that prove the right of use granted to the organizer by the holder of right of the informational program;
11. proof of registration as personal data processor given by the Authority of Personal Data Processing Surveillance/ other authority from the E.U.
12. any other data, documents and information requested by the National Office for Gambling.

For all categories of games the proof of payments must be presented as it is provided in the present methodological norms.

Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached/ transmitted electronically with digital signature.

## ANNEX 8 of the methodological norms

HEADING.....  
Company.....  
Registered office.....  
Sole Registration Number.....  
Country of origin.....  
Telephone.....  
email.....  
license no. ....valid until:.....  
date:.....

### STATEMENT

#### *regarding the organization of the jack-pot type of gaming systems*

I, the undersigned,.....identified with....., having the quality of administrator of the Commercial Company.....with the registered office in: county, locality.....str.....no.....block of flats.....staircase.....floor.....apt.....code....., having the sole registration number....., hereby notify the organization of a number of.....jack-pot type of gaming systems as follows:

\*T\*

No.	Identification of the jack-pot type system	Number of interconnected slot machine	Slot machine type	Slot machine series	Location of the jack-pot type
1.	2	3	4	5	6

\*ST\*

OPERATOR

S.S.

Based on the development of the support information applications, held and used by the National Office for Gambling, the application will be elaborated only by using this means, and the documents provided in the annex, will be attached electronically with digital signature.