

## **DECISION**

approving the Methodological Guidelines for the implementation of  
Emergency Ordinance No 77/2009 on the organisation and operation of games of chance

Pursuant to Article 108 of the Romanian Constitution, republished, and Article 31(2) of Government Emergency Ordinance No 77/2009 on the organisation and operation of games of chance, as amended by Article XI(2) of Government Emergency Ordinance No 92/2014 on the regulation of tax and budget measures and the amendment of legislative acts,  
the Government of Romania hereby adopts this Decision.

### **CHAPTER I. GENERAL PROVISIONS**

#### **Article 1.**

Games of chance may be organised and operated in Romania by economic operators that 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 the Emergency Ordinance and this Decision, the following terms and phrases will be defined as follows:

- a) competent authority – the National Gambling Office, a specialist body within the central public authority, which is subordinate to the Government of Romania and has responsibilities relating to the authorisation, monitoring and control of gambling activities in Romania;
- b) licence to organise games of chance – a registered document issued by the National Gambling Office in accordance with the Emergency Ordinance and this Decision, which gives its holder the right to organise traditional and remote games of chance in Romania;
- c) authorisation to operate games of chance – a registered document issued by the National Gambling Office in accordance with the Emergency Ordinance and this Decision, which gives its holder the right to carry out activities relating to 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 and this Decision, to economic operators that carry out activities, other than those relating to games of chance, which involve using the defining elements of gambling activities, namely a participation fee, either direct or dissimulated, and the possibility for the participant to be awarded material gains via specific means;
- e) 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 game participants after being approved by the Committee;

f) 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 who are 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;

g) 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;

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 gambling activities, as stipulated in the Emergency Ordinance;

i) discount – a reduction of 10 % of the sum of money owed as a fee for the authorisation to operate games of chance, which is characteristic to casinos, poker clubs and slot-machine-type games for payments made in advance for the entire validity period of the authorisation;

j) payment processors:

(i) payment services providers defined by Government Emergency Ordinance No 113/2009 on payment services, including the payment services providers defined by Law No 127/2011 on the activity of issuing electronic money, 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;

k) 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;

l) game server – an electronic system, made up of a hardware system and a software system, via which remote gambling activities and activities relating to the storage of data corresponding to these activities are carried out;

m) back-up server – an electronic system, made up of a hardware system and a software system, which is located in Romania and stores, in a centralised, secure and encrypted manner, all data about the players who are registered and take part in online games of chance authorised in Romania, which are sent by the online gambling organiser licensed in Romania by the National Gambling Office;

n) mirror server – an electronic system, made up of a hardware system and a software system, which is located in Romania and stores, in a centralised and secure manner, reports about the operations carried out by the online gambling organiser, and via which the operations carried out by the online gambling operator on their server can be checked in real time in a secure way;

o) affiliate - 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;

p) 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 own or have owned these domains via which they carried out or are carrying out remote gambling activities without holding a licence in Romania;

r) technical inspection of gambling equipment – technical evaluation and verification activities carried out by the Romanian Bureau of Legal Metrology or specialised companies, licensed according to the law, on the gambling equipment. Specialised companies are conformity evaluation bodies, in accordance with the provisions of Article 19(1) of the Emergency Ordinance.

s) 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 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 hold a licence to organise activities in Romania;

t) income obtained from gambling activities – the income obtained by a gambling organiser, recorded in the accounts on the basis of supporting documents, consisting of the commission charged and/or the difference between the participation fees collected and the prizes awarded, including from the reserve fund, where applicable.

### **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 and this Decision 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 from amongst those stipulated in paragraph 1, they are obliged to apply for a licence to organise and an authorisation to operate games of chance for each activity.

(3) By way of exception to paragraph 2, organisers who hold a licence for an activity relating to the traditional games mentioned in Article 10(1)(c),(e),(i) and (f) of the Emergency Ordinance, may request, on the basis of this licence, to be issued an authorisation for temporary operation of the same activity, in accordance with the conditions stipulated in the Emergency Ordinance and this Decision. Remote gambling organisers who carry out remote gambling activities via the same gaming platform will be exempt from the provisions of paragraph 2.

## **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, whose main objectives will be to implement and ensure compliance with the measures adopted by the European Committee for Standardisation regarding socially-responsible gambling.

(3) The founding members of the Foundation may be members of the Advisory Council attached to ONJN (“Oficiul National pentru Jocuri de Noroc” hereinafter ONJN or National Gambling Office), who express their intention to take part in its establishment within 10 working days from the date on which this decision comes into force.

(4) The management, administration and control bodies will be established by the founders during the inaugural statutory meeting.

(5) As of the date on which the Foundation is established, gambling organisers will be obliged to pay annual contributions to the Foundation, in the amounts and by the deadlines stipulated in the Emergency Ordinance. The contribution for the period between the date on which the Foundation is established and the due date of the annual contribution will be paid by the gambling organisers within 45 days from the date of its establishment. Gambling organisers who obtain the licence to organise games after the Foundation is established, will pay the contribution by the deadline for paying the licence fee, proportional to the period between the date on which the licence is obtained and the due date of the annual contribution.

(6) To ensure that the objectives of the Foundation are achieved, the annual activity plan must be endorsed by the President of ONJN.

#### **Article 5.**

(1) Gambling activities may be operated directly by a gambling organiser, or jointly by a gambling organiser and one or more companies or individuals, on the basis of a contract concluded in writing.

(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 administrative 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 both the gambling organiser and its contractual partner.

#### **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.

(2) Promotional actions, which consist of advertising, publicity or specific marketing activities, carried out by the organiser 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 this Government Decision.

(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. Activities organised by various economic agents, which consist of awarding various winnings to participants in a random manner, as well as any actions which imply the existence of at least one of the elements stipulated in Article 3(1) of the Emergency Ordinance will be subject to approval by the Monitoring Committee of the National Gaming Office.

(4) The request for approval submitted by an economic operator to the Monitoring Committee of the National Gaming 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.

(5) The Monitoring Committee of the National Gaming 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 or if the way in which the promotional action is carried out breaches the Emergency Ordinance and this Decision.

(6) The requests for approval stipulated in this article will be resolved by the Monitoring Committee of the National Gaming Office within 30 days from the date on which the full documentation is submitted; if the Monitoring Committee does not reply to the applicant within the period stipulated, the approval will be deemed to have been granted.

#### **Article 7**

(1) To organise and operate games of chance, organisers are obliged to use financial means such as tokens, impulses, tickets and financial means which, within the meaning of the Emergency Ordinance, constitute auxiliary gaming equipment.

(2) It will be permitted to use payment instruments used in the financial-banking system as payment instruments that enable the operation of games of chance.

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

(4) Remote gambling organisers will only transfer these bonuses into the player's game account. Any bonuses awarded will be highlighted separately from the player's other game funds that are available for withdrawal at any time.

#### **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.

(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), the procedure established in the game rules with regard to the homologation of results and/or validation of winnings, ensuring compliance with the payment deadlines, in accordance with the legal provisions, as well as the legal provisions in force with regard to the calculation and payment of obligations relating to tax on gambling income, as stipulated in Law No 571/2003 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 and this Decision, 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) Organisers may prohibit access to the premises where the activities are carried out to any individuals whom they suspect to be in an extreme state of intoxication or under the influence of hallucinogenic substances, as well as to any individuals who are not decently dressed or who, through their inappropriate behaviour, disturb the good conduct of the activity on the gambling premises.

(5) 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.

(6) 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.

(7) 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 law.

(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) On the grounds of the licence to organise games of chance, the gaming equipment owned by the licence holder may be transferred or acquired 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.

(4) On the grounds of the licence to organise games of chance, the licence holder may import slot-machine equipment for operational purposes only, providing that they request the authorisation of such equipment within 6 months from its purchase. 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 not be able to dispose of the respective gaming equipment earlier than 12 months from the date of its purchase, in accordance with paragraph 3.

(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 five working days before the date stipulated for the cessation of its operation. The notification will include information about the premises where the gaming equipment will be stored and will be accompanied by a proof that the authorisation fee has been paid in advance for the entire validity period of the authorisation.

## **CHAPTER V.**

### **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 licence to organise games of chance is given in Annexes 1a) and 1b), and the list of documents is given in Annexes 2a) and 2b).

(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 1c) and 1d), and the list of documents is given in Annexes 3a) and 3b).

(3) With the exception of the licence to organise and the authorisation to operate temporary games of chance, which may only be extended once for a period of one calendar year, 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 this Decision.

(4) Within the meaning of the Emergency Ordinance and this Article, the granting date is the first day of the month immediately following the month when, after the documentation submitted by the economic operator was analysed and approved, the due amounts are paid in advance in the amounts stipulated in the Emergency Ordinance. To enable the ONJN Monitoring Committee to issue their decision, the organiser will have to submit to DGAJN a copy of the first payment, in any format - email, fax, paper medium, within 72 hours from the date of the Committee meeting, as follows:

- a) for the full advance payment and obtaining the discount stipulated in the Emergency Ordinance;
- b) for the quarterly payment and the authorisation coming into force as of the 1st of the month immediately after the month when the Committee meeting is held.

(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 original copy of the account statement, endorsed by the bank, which shows that the economic operator's account was debited with the respective sums of money.

(6) If, by the payment deadline, 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 by the approval date, the approval will be rightfully revoked without the need for any additional formalities.

(7) If the documentation approval 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, in compliance with the law, the provisions of Government Ordinance No 92/2003 on the Fiscal Procedure Code, republished, with its subsequent amendments and additions, will apply accordingly.

(9) To receive the 10 % discount from the annual fee for the authorisation to operate traditional games of chance characteristic to casinos and poker clubs or slot machines, the organiser will prove that they have paid the annual fee in the set amount minus the discount, no later than the date on which the application for authorisation is submitted.

#### **Article 11**

(1) The licence to organise and the authorisation to operate games of chance are documents printed by the National Gambling Office.

(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 the access fee defined in Article 13(4) of the Emergency Ordinance, the special fees defined according to Point 4(A) of the Annex to the Emergency Ordinance and the vice fee defined in Point 4(C) of the Annex to the Emergency Ordinance, by the payment deadline.

(2) A copy of the declaration stipulated in paragraph 1 and a copy of the related payment document will be sent to the National Gambling Office within 10 days from when the payment is made.



(3) Gambling organisers of betting - traditional games, bingo games organised via television networks, as well as remote gambling organisers are obliged to send to the National Gambling Office a declaration regarding the income obtained from the games of chance organised by them, on a monthly basis and by the 10th of the month immediately after the month when the income was obtained; this declaration will specify the amount of the fee owed in relation to the authorisation to operate the games, so that a taxation decision can be issued. The standard declaration form is given in Annex 7.

## **CHAPTER VI. 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 or via electronic devices offering limited-risk winnings;
- 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 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.

### ***Subchapter I. Traditional games***

#### **Section 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 this Decision, which are carried out via a single network of closed-circuit terminals that only operate when they are connected, via a computer network, to a unique national central system and which involve the use of purely random outcomes of events consisting in the drawing of numbers, letters or any other symbols, regardless of the procedures used and of the characteristics of the equipment used to make the draw, which may take place with or without the players being physically present.

(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), chance;
- 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.;
- d) video lottery or VLT - a gambling activity carried out via specialised terminals which assigns winnings in a random manner, in which the outcome of their participation in the game is revealed to the player via the video lottery terminal and where the player's dexterity or ability does not have any influence/relevance to winning. Video lottery games are organised via a single closed-circuit network of terminals which only operate when they are connected online to a central national system. Validation and payment of the winnings do not involve the terminal used by the player.

(3) 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 of the sums circulated as part of the operation of this gaming equipment, under the conditions stipulated in this decision.

(4) 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).

#### **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, which holds a licence to organise and an authorisation to operate such games in compliance with the law.

#### **Article 17**

The game rules and internal rules used by the National Company "Loteria Romana" SA for the lottery-type games of chance for which it holds licences to organise games of chance and authorisations to operate games of chance, by effect of the law, will be established at company level and communicated to the National Gambling Office. The rules proposed by the National Company "Loteria Romana" SA will be submitted to the National Gambling Office by 15 December, at the latest, for the following year. Any changes to the game rules or internal rules - the special part will be communicated to the National Gambling Office within 15 days.

#### **Article 18**

The National Company "Loteria Romana" SA may carry out the lottery-type gambling activities which they are exclusively entitled to organise and operate either directly or together with individuals or legal entities on the basis of contracts concluded in compliance with the law, the administrative responsibility falling with both contracting parties.

#### **Article 19.**

(1) Gambling activities relating to lottery-type games - a traditional game - will only be carried out in specialised premises, called lottery agents, i.e. commercial premises registered as secondary offices of the National Company "Loteria Romana", 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;
- c) at least one terminal for issuing gaming tickets is located inside the premises and is operated by the organiser's specialised personnel;
- d) the access of minors on the premises is prohibited;

## **Section 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 via betting terminals, in compliance with the conditions stipulated in this Decision.

### **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 premises will have a surface area of at least 15 m<sup>2</sup> to enable effective performance of the activities and the installation of the minimum equipment stipulated in this article;
- b) the premises will be equipped with electronic devices which 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) dependent terminals, which are operated by the organiser's personnel working within the betting agency;
- 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) Other economic activities, including those 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. The economic activity, other than that relating to betting, will be operated directly by the activity organiser, or jointly by the organiser and the economic operator, on the basis of a contract concluded in writing.

#### **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 the Romanian Bureau of Legal Metrology or specialised firms.

#### **Article 23**

(1) Organisers must 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.

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

a) 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 or on the premises, on a board or a glass surface displayed at the premises, within the limit of 6 m<sup>2</sup>;

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 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 m<sup>2</sup>, and the total surface area must not exceed 3 m<sup>2</sup>.

#### **Article 24**

(1) The technical and economic efficiency documentation 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 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 by applying the corresponding percentage rate to the organiser's earnings, determined in

accordance with Article 11 of the Emergency Ordinance, for the month prior to the month when the documentation is analysed by the Monitoring Committee of the National Gambling Office.

(4) The gambling organisers will draw up the statement stipulated in Annex 12 on a monthly basis, by the 10th of the current month for the previous month, so that a taxation decision can be issued.

#### ***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.

##### **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**

The percentage 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 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 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.

### **Section 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.

#### **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 (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 order to create a pleasant environment for the participants;

d) they are furnished in compliance with the hygiene and sanitary guidelines 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 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, 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.

### **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. Any unusual incidents or events 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 well-founded 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 within the National Gambling Office.

(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, a document which is an integrated part of the internal rules and which will also specify the original serial number or the number allocated by the technical inspector for each roulette wheel.

### **Article 40.**

(1) 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 registered 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, after submitting inheritance documents.

#### **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's assets to the participant's assets.

#### **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) 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.

#### **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 is justified by the need to maintain the good operation of the casino activities, without the gamblers who are present inside or outside the casino taking part or being involved in any way, the members of personnel appointed to carry out the transport and the way in which these are recorded.

#### **Article 47**

The tips given by the gaming participants to the employees will be considered income of the gambling operator and may be shared between the employees by the management. Tips will be recorded separately in the accounts.

#### **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.

(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 five 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 and the police authorities with jurisdiction over the area where the organiser's registered office is located, along with the reasons for this measure, within five working days from the date on which they are drawn up or amended.

#### **Article 51**

(1) Organisers are obliged to organise and carry out their accounting activities in accordance with the legal provisions in force.

(2) Primary accounting records will be kept on a daily basis, for each gaming table, on the form presented in Annex No 10 a) and in compliance with the instructions for filling in this form, in electronic or paper format. These will be drawn up in Romanian, must not include empty spaces, deletions and changes, and must be acknowledged and signed.

## **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 approvals for the executive personnel working in the casinos, up to and including the directors, within three working days from the date on which they are employed.

## **Article 53**

(1) For the purpose of granting the authorisation to operate games of chance characteristic to casinos and to present the documentation to the Monitoring Committee of the National Gambling Office, 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 extend their authorised activities by supplementing 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.

(3) In these situations, the operating authorisation will be amended accordingly whilst complying with its validity period, all changes being valid as of the first day of the month immediately following the month when, after receiving the approval of the Committee, the organiser proves that they have paid the fee for the authorisation to operate the additional gaming equipment in advance, in accordance with the conditions and payment deadline stipulated by the Emergency Ordinance and this Decision.

## **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.

#### **Section 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**

Games of chance characteristic to poker clubs may be organised in non-residential buildings and buildings that were built to be used as dwellings but which, at a later date, lost this capacity due to successive alterations. The phrase 'non-residential buildings' 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.

##### **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 well-founded 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 within the National Gambling Office;

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 of the National Gambling Office, 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**

Poker clubs may receive for safe-keeping, in cash or by bank transfer, sums of money, in lei or foreign currency, belonging to the clients. These will be kept in designated safes located in the cashier's office in the gaming hall or in the organiser's account, which will be separate from those used for the club's everyday operations; the procedure for receiving and handing over this money, on the basis of registered documents, will be completely separate from the club'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, drawn up for each depositor, 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. 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, after submitting inheritance documents.

### **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.

(2) The tips given by the gaming participants to the employees will be considered income of the gambling operator and may be shared between the employees by the management. Tips will be recorded separately in the accounts.

#### **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 five 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**

Organisers are obliged to organise and carry out their accounting activities in accordance with the legal provisions in force.

### **Section 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 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 - 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.

## **Section 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) Depending on the maximum winnings that participants can obtain from the activity, slot-machine-type games can be grouped into two categories:

- i) slot-machine-type games with unlimited stakes and winnings;
- ii) slot-machine-type games played via electronic devices offering limited-risk winnings.

(3) The minimum number of pieces of gaming equipment that may be operated by the same economic operator will be 100 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.

#### ***A. Slot-machine-type 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 the Romanian Bureau of Legal Metrology or 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 will be connected via a serial communication protocol to the centralised computer system, which will highlight the requirements stipulated in the Order of the ONJN President, stipulated in Article 15(2)f) of the Emergency Ordinance.

(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 stipulated in paragraph 2 of this Article.

(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 working 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 for which the organiser requests an operating authorisation will be identified in the computer system located at the National Gambling Office, or the premises specified by the Office, at least five days before the Monitoring Committee meeting.

(6) Gaming equipment will only be moved to the organiser's premises after notifying the National Gambling Office in advance. The gaming equipment will be disconnected from the centralised computer system and effectively moved after the period of five days from the notification registration date has expired. 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, according to the template given in Annex 8a), for gaming equipment operating in lei, and according to the template given in Annex No 8 b), for gaming equipment operating in foreign currency.

(3) On the last day of every month, the sums of money collected will be centralised according to the template given in Annex 9a), for gaming equipment operating in lei, and according to the template given in Annex 9b), for gaming equipment operating in foreign currency.

(4) The accounting records will be drawn up in accordance with the provisions in force, using the forms included in the special register or in electronic format.

### **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 m<sup>2</sup>;
- 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 m<sup>2</sup>, and the total surface area must not exceed 3 m<sup>2</sup>.

(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 lottery and slot-machine-type games of chance 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.
- c) the gaming equipment will be connected to the centralised computer system via a serial communication protocol.

#### **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 EUR 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 of the National Gambling Office at least five days before starting to organise 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 at least five days before they are implemented. The template for this notification is given in Annex 7a).

### ***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 RON 2;
- b) The maximum winnings for a line are determined by multiplying the line stake by the multiplication factor, RON 1 000;
- c) Minimum payout percentage (Bet/Win): 85 %, in compliance with the Technical Inspection Certificate issued by the Romanian Bureau of Legal Metrology or conformity assessment bodies;
- d) The value of a credit point is RON 0.01 ;
- e) The total value of the credits that may be inserted prior to the start of the game is: RON 100;
- f) 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;
- g) Maximum three steps for a risk game (doubling) and/or 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) Electronic devices offering limited-risk winnings installed within a location may be interconnected to a local additional payout system, the maximum amount of the prize that can be awarded being RON 500.

(6) The additional payout system will be organised in compliance with all of the following conditions:

- a) the gaming equipment is connected via a serial communication protocol which transmits the parameters for awarding the additional prizes;
- b) the electronic devices offering limited-risk winnings that are interconnected within the system are operated within the same premises;
- c) the additional payout 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.

(7) 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, including any additional prizes, if applicable.

(8) The centralised computer programme will be connected to a terminal located at the National Gambling Office 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, including those from the category of additional prizes, if applicable.

(9) 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 working 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.

(10) The gaming equipment for which the organiser requests an operating authorisation will be identified in the computer system located at the National Gambling Office at least five days before the Monitoring Committee meeting.

(11) Gaming equipment will only be moved between the organiser's premises after notifying the National Gambling Office in advance. The gaming equipment will be disconnected from the centralised computer system and effectively moved after the period of five days from the notification registration date has expired. 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 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 electronic gaming device offering limited-risk winnings and each additional payout system, as applicable, on a daily basis, according to the template given in Annex 8a).

(3) On the last day of every month, the sums of money collected will be centralised according to the template given in Annex 9a).

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

### **Article 86**

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.

## **Section 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 the Romanian Bureau of Legal Metrology or 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 from the total amount of cash collected will be between a minimum of 65 % and a maximum of 80 % for each ordinary game, except for games where special prizes are awarded, when only the minimum percentage 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 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 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) The statement stipulated in Annex 11 for bingo-type games will be drawn up on a monthly basis.

#### **Article 94.**

Bingo games taking place in gaming halls will be operated via computer programmes specific to bingo games.

#### **Article 95**

(1) For the purpose of granting the authorisation to operate games of chance, for each gaming hall, a team of specialists comprising of representatives of the National Gambling Office 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; 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**

(1) Organisers are obliged:

- a) 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;
- 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;
  - (ii) to not suggest gambling activities by using images, text or other symbols.

(2) Organisers may signpost their activities under 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 games of chance are operated, on a board or a glass surface displayed within the grounds of the premises, within the limit of 6 m<sup>2</sup>;
- 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; 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 m<sup>2</sup>, and the total surface area must not exceed 3 m<sup>2</sup>.

### **Section 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 technical and economic efficiency documentation 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 1<sup>1</sup> of the Ordinance, for the month prior to the month when the documentation is analysed by the Monitoring Committee of the National Gambling Office.

(4) Operators who organise bingo-type games of chance via television network systems will draw up the statement stipulated in Annex 11 on a monthly basis, by the 10th of the current month for the previous month, and will send it to the National Gambling Office, so that a taxation decision can be issued.

#### **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 the Romanian Bureau of Legal Metrology or 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 meet the following main conditions:

- a) the electrical lighting provided must be sufficiently bright to carry out the activities;
- b) it is equipped with a sound system which ensures optimum hearing;
- c) the game coordination and management computer is fitted with a non-interruptible power supply source;
- d) it is 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, constitute back-up electrical lighting circuit. These lights will be installed so that, when necessary, they ensure the protection and evacuation of the members of personnel working in the hall, as well as of the valuables.

### **Article 103**

The hall may 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; it also 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 104**

(1) For bingo games organised via television network systems, the payout percentage from the total amount of cash collected will be between a minimum of 40 % and a maximum of 60 % for each ordinary game, except for games where special prizes are awarded, when only the minimum percentage 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 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 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 Nacionala" 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 (televised programme), 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 Committee, 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**

Bingo games organised via television network systems will be operated via computer programmes specific to bingo games.

#### **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.

### **Section 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 for each session may not be less than 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.

## **Section 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 in tourist resorts or on board recreational ships.

(2) The template for the licence to organise temporary games of chance is given in Annex 1b).

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

#### **Article 112**

The authorisation to operate the activity will be issued, upon request, to the holder of a licence to organise one of the casino or slot-machine-type activities defined in Article 10(1)(e)(i) of the Emergency Ordinance and bingo activities organised in halls so that the authorised activities can be temporarily carried out in tourist resorts or on board recreational ships, in compliance with the conditions stipulated in this decision, as well as to economic operators who simultaneously apply for a licence to organise and an authorisation to operate the temporary activity.

#### **Article 113**

The premises used to carry out temporary games of chance characteristic to casinos and slot machines, as defined in Article 10(1)(e)(i) of the Emergency Ordinance, as well as bingo in halls, will be business premises or accommodation establishments located in tourist resorts, as stipulated in Annex 5 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;
- g) they are located and equipped in compliance with the legal requirements relating to fire prevention and fire fighting;
- h) they comply with the hygiene and sanitary guidelines in force;
- i) 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;
- j) 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) Activities characteristic to casinos and slot machines, as defined in Article 10(1)(e)(i) of the Emergency Ordinance, as well as bingo games organised in gaming halls, will be temporarily organised and carried out in accordance with the provisions of the Emergency Ordinance and this Decision 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, the organiser having the right to continue to operate the activities within the authorised premises or in another location, in compliance with the minimum requirements stipulated 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 six 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 15 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.

(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.

(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.

(4) Organisers are obliged to organise and carry out their accounting activities in accordance with the legal provisions in force.

### ***Subchapter 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 in accordance with the Emergency Ordinance and this Decision.

(2) The operating authorisation will be granted for all gaming activities carried out via the same gaming platform.

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

- a) the Certificate of Incorporation of the applicant company;
- b) Articles of Incorporation and information about the shareholders;
- c) an organisational chart for the relevant management and CVs/presentations of the real beneficiary/beneficiaries
- d) a criminal record certificate
- e) proof that a bank account has been opened in Romania to be used for the player's funds;
- f) certification on the gaming platform being used to provide gambling services in Romania;
- g) a full description of the hardware and software equipment used to provide gambling services in Romania
- h) the mandate of an authorised representative
- i) proof which demonstrates that their system is able to identify and record any action and transaction made by a player;
- j) the location of all of the equipment;
- k) payment of all fees;
- l) a business plan for Romania, as well as the turnover for the previous year, for the applicant company;
- m) a list of all contracts and agreements concluded with affiliates, payment processors, software providers and audit/certification companies, support services;
- n) registration as a personal data operator;
- o) game rules for all the types of games operated;
- p) measures for the prevention of gambling addiction and the protection of minors;
- q) information about data protection
- r) terms and conditions
- s) ISO accreditations for those carrying out the initial audit/certification;
- t) any other data, information and documents requested by ONJN.

## **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 accounts opened by Romanian citizens who are registered on the gaming platforms being used.

### ***Section 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, as well as the individuals or legal entities involved in the activity.



### **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 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;
- e) is appointed as an authorised tax representative in Romania of the licensed operator, in accordance with the legal provisions in force;
- f) to be a representative in accordance with the provisions of Law 677/2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data, with its subsequent amendments and additions.

### **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 authorisation, auditing, technical 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 clause stipulated in the contract concluded between the organiser and the person appointed as their authorised representative which leads to the exclusion or limitation of the authorised representative's responsibilities, as stipulated in Article 125(1), will be considered to be unwritten.

## **Section 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 back-up 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 concept of "responsible gambling", including access to self-testing for gambling addiction;

d) the game rules for each game of chance provided;

e) the support service provided;

f) information about payment methods;

g) terms and conditions for the participants accessing the website;

h) information about compliance with the provisions of Law No 677/2001 on the protection of individuals with regard to the processing of personal data and the free movement of such data, with its subsequent amendments and additions, and Law No 506/2004 on the processing of personal data and the protection of privacy in the electronic communications sector, with its subsequent amendments and additions, and the way in which the persons to which these apply can exercise their rights;

i) display information about the player's account;

j) information about compliance with the legal provisions relating to fraud and money laundering.

k) the gambling organiser's website must display a clock that is visible to the player at all times, to enable them to monitor the current time and the uninterrupted duration of their participation in the game.

### **Section 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 Decision may take part in the remote games of chance organised by an operator that holds a licence to operate 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 100 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 15 calendar days.

(5) If players do not confirm the authenticity of the data provided within 15 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 deposited initially will be returned via the same payment method as that used to deposit the money into the account.

(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 paying 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 Decision for awarding bonuses to participants.

(7) If they have any suspicions, remote gambling organisers may carry out, within 10 days, any verifications they consider to be necessary before transferring the winnings into a player's account, and then make the transfer or notify the competent authorities.

(8) Remote gambling organisers will make sure that, if a game is interrupted due to technical reasons, 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, or they may be returned, in cash, to the player's heirs, on the basis of documents which certify their capacity. Sums of money representing the financial equivalent of the funds present in the game accounts may not be used to cover any claims against the gambling organiser.

(10) 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) All players can file a complaint with the remote gambling organiser, specifying the player's identity and the elements subject to their 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, at their 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 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 seven 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) 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.

(6) The remote gambling organiser or 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.

(7) A player who is registered in the register stipulated in paragraph 7 may only request to be struck off this register after a period of six months since their registration in the respective register has expired.

(8) 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.

### ***Section III. 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 retain the funds, the gambling organiser 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.

(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 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 national budget, in accordance with the legal provisions in force.

(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 game account is no longer valid, the gambling organiser will transfer the money from the respective account to the Romanian national budget, after notifying the player in advance as stipulated in paragraph 5, in compliance with the legal regulations in force.

#### ***Section IV. The gaming platform***

##### **Article 134**

(1) The gaming platform is the computer system used by a licensed remote gambling operator, which can be accessed by players via remote communication means, and which consists of at least an internet domain, an IP address and a specific software application.

(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, 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 tax residence in another state.

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

(6) The gaming platform will guarantee 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, at the 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 Class 2 Licence issued by the Monitoring Committee of the National Gambling Office.

### **Section V. 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 their 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, in real time, in the back-up server accessible to the National Gambling Office, and send centralised daily reports to the mirror server.

(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 and IP address, the stakes played and winnings obtained, as well as all transfers to the players' game accounts and payment accounts.

(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 five years since their collection date.

(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 a Class 1 Licence must hold a certification for the gambling software or platform, issued by a certifying body licensed by ONJN.

(2) A licensed remote gambling organiser will submit, initially to obtain the authorisation and then annually to obtain the reauthorisation, a report of the technical audit of the computer system, carried out by a specialised company that holds an auditing licence 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 specific software programmes which they have the right to use, a right acquired in compliance with the law from specialised developers who hold a Class 2 Licence issued by the National Gambling Office.

(2) Any changes to the computer system used by the organiser, which could affect the way in which prizes are awarded, as well as any changes to the cash flow relating to the game accounts 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.

### **Section VI. 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 discontinuing 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, the consequences of any attempts to breach the legal or regulatory provisions.

(2) The game rules in Romanian 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, on the player's computer system.

(3) Any changes to the 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 ONJN, in accordance with the legal provisions in force.

(2) The provisions of this subchapter will apply to all economic operators who use a gaming platform for the following purposes:

- i) to provide services in Romanian,
- ii) to collect money and make payments in the national currency,

- iii) to provide related or supporting services in Romanian,
- iv) to provide marketing and advertising services, in Romanian, for remote games of chance.

### ***Subchapter III. Other gambling activities***

#### **Article 142**

Gambling activities, other than those explicitly regulated by the Emergency Ordinance and this Decision, 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, as well as any other data and information requested by the National Gambling Office.

#### **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 \_\_\_ Foundation and managed by the latter, and will be made available to ONJN and the licensed operators free of charge, in accordance with the legal provisions in force.

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

#### **Article 146**

(1) The licence to organise and the authorisation 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 organiser proves that the conditions taken into consideration on the issue date have been maintained.

(2) For the licence to organise the activities to be extended, the economic operator will submit an extension application, along with the following documentation:

- a) a certificate of findings which details the legal status of the economic operator;
- b) the approval granted by the police authorities to the legal representatives of the legal entity;
- c) a tax clearance certificate stating that the gambling organiser does not have any outstanding debts to the consolidated state budget;
- d) a criminal record certificate for the legal representatives.

(3) For the operating authorisation to be extended, the economic operator will submit an extension application, along with the following documentation:

- a) a criminal record certificate for the legal representatives;
- b) a tax clearance certificate stating that the gambling organiser does not have any outstanding debts to the consolidated state budget;
- c) technical inspection certificates for the gaming equipment;
- d) proof of constitution of a guarantee fund which covers the risk of non-payment of any obligations to the consolidated state budget, to the amount stipulated by the Emergency Ordinance.

## **CHAPTER VII**



## LICENCES GRANTED TO ECONOMIC OPERATORS

### Article 147

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, may only be carried out by economic operators who hold a Class 2 Licence issued by the Monitoring Committee of the National Gambling Office.

### Article 148

(1) A Class 2 Licence will be granted, upon request, to economic operators who meet the conditions for carrying each of the activities. The template of a Class 2 Licence is given in Annex 1b).

(2) A Class 2 Licence will be valid for 10 years from its issue 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 Class 2 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 issued for the documentation will be rightfully revoked, without any further formalities.

(5) If the obligation to pay the licensing fee for the subsequent periods is not met, the licence will rightfully end, without any further formalities.

### Article 149

(1) A Class 2 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 provided 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;
- f) the legal representatives of the legal entity submit a self-declaration stating that:
  - i) the director and partners have not been convicted by means of a final sentence which was not subject to rehabilitation;
  - ii) they are not in a situation of incompatibility, according to the law.

(2) Depending on the characteristics of the activity to be carried out, the economic operators 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 the Emergency Ordinance, are operators who hold management and integration platforms specific to remote games of chance and who must meet the following conditions:
  - i) they will prove that they hold the ownership or usage right over the computer platform;
  - ii) the legal representatives will submit a declaration of conformity for the services that the economic operator can carry out on behalf 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, 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) will draw up a business plan for the first year of activity, which will mention the predicted commercial operations, the estimated earnings and the predicted costs;

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

iii) 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:

i) will submit documents which certify that they hold moral and property rights over the software programme;

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.

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;

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 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.

iii) are obliged to submit to ONJN the affiliate agreement concluded with a remote gambling organiser, within 15 days from the date on which the agreement is concluded.

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 organiser.

g) auditors:

i) the economic operator proves that they hold ISO 27001 certification;

ii) the economic operator is not in an interdependent relationship with a gambling organiser.

h) conformity assessment bodies:

i) the economic operator has proof of ISO 17020 certification.

## **CHAPTER VIII 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 Committee, as applicable;
- e) to not employ or retain any members of personnel for whom the Emergency Ordinance or this Decision stipulate that an approval must be obtained from the police authorities, if such approval is refused.
- f) 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;
- g) to not change the software installed on the game coordinating computer used for the games of chance without the approval of the Committee;
- h) to take the necessary measures to organise the activity, including by preparing the game operating personnel so that the game participants are not issued with certificates or other documents which certify that they have won sums of money in the games of chance organised;
- i) 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;
- j) 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 Decision, 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 Decision;
- k) to keep a unique control ledger at each premises, which must be numbered, bound and stamped in accordance with the legal provisions in force;
- l) to take all necessary measures to comply with the opening hours, which will be displayed in a visible place and communicated to the territorial tax authority;
- m) to comply with the specific regulations laid out in the applicable sections of this decision, depending on the type of authorised game;
- n) 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 Ministry of Public Finance with jurisdiction over the area where the gaming hall is located;
- o) to not lend money to the gambling participants and not allow them to take part in the games of chance free of charge;
- p) 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;
- r) to inform, by means of a letter, the competent tax administration authority that they have obtained the licence to organise games of chance and the tax authority with jurisdiction over the area in which the premises where gaming equipment is operated are located that they have obtained the authorisation to operate games of chance in the respective premises, within five working days from the date on which these documents come into effect;
- s) to notify the tax authority with jurisdiction over the area in which the premises where the gaming equipment is to be moved are located, by means of a letter, within five working days from the date on which the Committee is notified;

- t) 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 tax 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;
- u) to notify the local public authority with jurisdiction over the area where the activities are to be carried out, by means of a letter, about starting the activity, making sure to specify the date on which the activity was started and send copies of the licence and authorisation to operate games of chance;
- v) to send income tax returns for the income obtained from operating the activity to the National Gambling Office, so that a taxation decision can be issued, as well as declarations for the taxes stipulated in the Emergency Ordinance, in accordance with the provisions of Article 13(1) and (2) of this Decision;
- w) 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 five years;
- x) 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;

(2) Depending on the specific gambling activities being carried out, the in-house personnel employed by gambling organisers to organise and carry out activities in the sector regulated by this decision will have the following obligations:

- a) to not allow minors to participate in games of chance;
- b) to not issue players with certificates or other documents which certify that they have won sums of money in the games of chance organised;
- c) to not lend money to the gambling participants;
- d) to ensure that the games of chance are carried out in a civilised manner, without disturbing public peace and order;
- e) to comply with the opening hours of the respective premises;
- f) to wear, in visible place, a badge bearing the name and surname of the respective individual, as well as his/her position;
- g) to not take part in the gambling activities organised by their employer.

## **CHAPTER X SANCTIONS**

### **Article 151**

The tax authorities responsible for the tax management of gambling organisers will notify the ONJN Monitoring Committee, within five working days, 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 152**

(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)-(7) and Article (10), Article 40(2), Article 42(1), Article 43, Article 55, Article 61, Article 65(2), Article 68, Article 78, Article 80, Article 82(3), Article 84(6),(7) and (9), Article 86, Article 88, Article 104(1), Article 109, Article 118(1), Article 126, Article 129, Article 134(3), Article 136, Article 138(2), Article 139, Article 140 and Article 150(1)(x);
- b) keeping in operation any gaming equipment which does not comply with the technical requirements stipulated in the Ordinance or this Decision;
- c) non-compliance with the obligations to keep video recordings;
- d) non-compliance with the authorisation conditions stipulated in the inspection report drawn up to enable issuing of the authorisation to operate games of chance, for the entire validity period of the authorisation;

- e) non-compliance with the provisions of Article 6(1), Article 8(2)(3) and (7), Article 9(1) and (4), Article 12, Article 13(3), Article 49 and Article 150(1)(c)-(e), (g)-(o) and (t);
- f) non-compliance with the provisions of Article 59 and Article 150(1)(v) and (w).

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

- a) between RON 25 000-RON 50 000, for the deeds stipulated in paragraph 1(a),(b) and (c);
- b) between RON 10 000-RON 25 000, for the deeds stipulated in paragraph 1(d) and (e);
- c) between RON 2 000-RON 5 000 lei, for the deeds stipulated in paragraph 1(f).

(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 premises, depending on the severity of the ascertained deeds and their consequences, for any of the deeds stipulated in paragraph 1(a),(b) and (c).

(4) 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 three months, for each piece of gaming equipment or for all of the gaming equipment within a premises, depending on the severity of the ascertained deeds and their consequences, for any of the deeds stipulated in paragraph 1(d)-(f).

(5) To implement the provisions of paragraphs 3 and 4, as well as when the control bodies notify the Committee in accordance with Article 17(3) of the Emergency Ordinance, the control bodies will forward a sanction proposal and the proposed period, along with the entire documentation on which such proposal is based.

(6) The following deeds will constitute infringements and be sanctioned with a fine of RON 25 000-RON 50 000 lei:

- a) the conformity assessment body/BRML issuing any stamps without carrying out the verifications stipulated by the legal guidelines in force;
- b) the certifier/auditor issuing documents which certify aspects of reality that are non-compliant or distorted;
- c) an affiliate not complying with the deadline set for declaring the affiliate agreement concluded with a remote gambling organiser;

(7) The offender may pay, on the spot or within 48 hours from the date on which the report is concluded or the date on which this is communicated, as applicable, half of the minimum fine stipulated in this Decision, the inspector making sure to mention this option in the report.

### **Article 153**

(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 Decision.

(2) The National Office for the Prevention and Control of 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 control of money laundering and the financing of terrorist acts.

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

### **Article 154**

(1) Within the meaning of Article 23(3) of the Emergency Ordinance, clandestine contests organised in conditions other than those stipulated by the legal provisions in force 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(3) of the Emergency Ordinance, clandestine games whose outcomes can be influenced by the handler's dexterity in order to obtain income will be understood to be shell games which use gaming equipment such as cards, rubbers with stamps, cups with cereal grains, cups and a ball, etc.

## **CHAPTER XI TRANSIENT MEASURES**

### **Article 155**

(1) Economic operators who hold a licence to organise and an authorisation/authorisations to operate games of chance on the date when this decision comes 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 issue until the expiry date of the licence to operate or the authorisation(s) to operate the activities, whichever event occurs first.

(2) The gambling organisers mentioned in paragraph 1 will not be obliged to supplement the minimum number of authorised gaming equipment until all their operating authorisations have expired.

(3) 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) Organisers of slot-machine-type games with unlimited stakes and winnings will comply with the obligation to pay a vice fee starting from the date on which this decision comes into force.

(2) For 2015, the vice fee owed for slot machines for which the organiser holds an operating authorisation on the date when this decision comes into force will be proportional to the period between the date when the fee is established and the expiry date of the calendar year for which it is calculated.

### **Article 157**

(1) Within 12 months from the date on which this decision comes into force, gambling organisers who hold a licence to organise and an authorisation to operate the activities valid on the date when this decision comes into force, will supplement the minimum number of gaming equipment or premises authorised in accordance with the provisions of the Emergency Ordinance.

(2) For the gaming equipment subject to authorisation and the premises registered by the gambling organiser after the Emergency Ordinance and this Decision come into force, the organisers will comply with the required level of the guarantee which covers the risk of non-payment stipulated in the Emergency Ordinance.

(3) The level of the guarantee which covers the risk of non-payment for the authorised gaming equipment and the premises registered before the Emergency Ordinance comes into force will be supplemented by the economic operators on the date when a new operating authorisation is obtained or when the authorisation is extended, according to this decision.

(4) 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.

(5) For 30 days from the date when these guidelines come into force, economic operators who do not hold a Class 2 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.

(6) Organisers of slot-machine-type games will make sure that the 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.

(7) Economic operators who obtain the right to organise and operate remote games of chance for a period of 12 months, in accordance with the Ordinance, will carry out their activity by complying with the conditions established for licensed organisers. The right to organise and operate the activity, granted temporarily pursuant to a decision of the Monitoring Committee, may be revoked, cancelled or suspended under the same conditions as those for revoking, cancelling or suspending the licence to organise or the authorisations to operate the activities.

#### **Article 158**

(1) Economic operators who hold a licence to organise and an authorisation to operate games of chance that is valid on the date of this decision may give up their current authorisation and apply for a new authorisation to operate the activity, under the conditions stipulated by the Emergency Ordinance and this Decision, if they meet all of the following conditions:

- a) They notify the National Gambling Office and the competent tax authorities about renouncing the activity on the grounds of their operating authorisation, within 120 days from the date when this decision comes into force;
- b) They submit an application for a/several new authorisation(s) within 30 days from the date of the notification stipulated at Subparagraph (a), in accordance with the conditions stipulated in the Emergency Ordinance and this Decision.

(2) The operating authorisation previously held by the gambling organiser will rightfully cease its effects on the date the new authorisation to operate the activity is issued in accordance with this Decision.

### **FINAL PROVISIONS**

#### **Article 159**

(1) Annexes 1-12 will form an integral part of this decision.

(2) The equivalent in RON/lei of the fees and other values established in Euro currency by the Emergency Ordinance and these Guidelines, 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.

#### **Article 160**

On the date this decision comes into force, Government Decision No 870/2009 for the approval of the Methodological Guidelines for the implementation of Government Emergency Ordinance No 77/2009 regarding the organisation and operation of games of chance, published in the Official Gazette of Romania, Part I, with its subsequent amendments, will be repealed.

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**ANNEX 1a)**

*Template of the licence to organise games of chance*

**ANNEX 1b)**

*Template of the temporary licence to organise games of chance*

**ANNEX 1c)**

*Template of the authorisation to operate games of chance*

**ANNEX 1d)**

*Template of the authorisation to operate games of chance*

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## **ANNEX 2**

### **DOCUMENTS**

#### ***needed to obtain a licence to organise games of chance***

To obtain a licence to organise games of chance, economic operators will submit the following documentation to the Committee:

1. an application requesting that a licence to organise games of chance is granted by the Committee, along with a list of the documents submitted in the file. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain the address of the registered office of the economic operator, their contact details (telephone number, fax, email address) and the type of activity for which the licence is requested. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. a list of the documents, in accordance with the attached template;

3. a confirmation of company details issued by the National Trade Register Office, specifying the following:

- the identification elements of the economic operator (form of organisation, name, address of their registered office, unique registration code);
- the subscribed and paid up share capital;
- the shareholding structure or partners, as applicable;
- the name, surname and address of the legal representatives;
- the main business activity. This must include the main activity, "gambling and betting", NACE Code 9200;
- the registered secondary offices and their addresses;

3. the certificate of incorporation issued by the National Trade Register Office;

4. the approval granted by the police authorities to all legal representatives of the economic operator. If the legal representative is an economic operator, the approval granted by the police authorities to all its legal representatives will be submitted;

5. a self-declaration of the legal representative of the economic operator (if there are several legal representatives, a self-declaration will be submitted for each of them), stating the following: the fact that ...Article 15

- the economic operator has not been convicted by means of a final sentence which was not subject to rehabilitation;

- the legal representative is not in a situation of incompatibility, as regulated by law;

- the legal representative has experience in organising and operating games of chance;

- the legal representative is familiar with the specific legislation in force;

- only for the games defined in Article 10(1)(g)-(i) of Government Emergency Ordinance No 77/2009 regarding 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 the Emergency Ordinance, the legal representative/economic operator will use specialised personnel who are trained and have at least 3 years of experience in the field of information technology.

6. a criminal record certificate or another document issued by the competent authorities with jurisdiction over the area where the last known domicile/registered office of the legal representative(s) is located (if there are several legal representatives, a criminal record certificate or other documents issued by the competent authorities will be submitted for each of them), which proves that they have not been convicted, either in Romania or a foreign state, by means of a final sentence which was not subject to rehabilitation, for a crime stipulated by the Emergency Ordinance or for any other crime committed with intent for which a punishment of at least 2 years in prison was enforced;

7. a tax clearance certificate issued by the tax authority responsible for the tax administration of the economic operator;

8. only for activities specific to casinos and poker clubs, as well as for the games defined in Article 10(1)(g)-(i) of the Emergency Ordinance - proof of registration as a personal data operator, issued by the National Supervisory Authority for Personal Data Processing;

9. only for fixed-odds betting and online betting activities - a self-declaration of the legal representative of the economic operator, stating that they are not connected, either directly or via intermediaries, to the events that are subject to the betting activities for which the licence to organise and authorisation to operate are sought;

10. if a gambling organiser has any affiliates, registered in a Non-Member State of the European Union, who apply for a licence to organise and an authorisation to operate the games of chance defined in Article 10(1)(g)-(i) of the Emergency Ordinance and who, on the date of application for the licence to organise and authorisation to operate, have provided or are providing such games to players in Romania, the organiser will submit a self-declaration of the legal representative of the economic operator stating that they will take all necessary actions to

transfer the database relating to the respective players to the database of the gambling organiser that is to be authorised in Romania as quickly as possible.

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**DOCUMENTS**

***needed to obtain an authorisation to operate games of chance***

A. For the authorisations to operate slot machine-type gaming equipment:

1. application for the authorisation of slot machine-type gaming equipment. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the type and series of the gaming equipment for which the application is submitted, as well as the gambling premises where the activity will be carried out, separately for each location. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. the operating rules for each game, which must stipulate the payout percentage from the total amount of cash collected;

3. documents which prove the ownership or usage right, as well as proof that the gambling premises are registered as a work point;

4. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, valuables, etc. is ensured;

5. proof of technical inspection of the slot machines, issued by the Romanian Bureau of Legal Metrology;

6. documents which certify that the slot machines are of legal origin;

7. proof of constitution of a guarantee fund;

8. a self-declaration of the organiser, stating that the premises where the gaming equipment will be operated comply with the sanitary guidelines and fire safety regulations;

9. to move the gaming equipment:

a) a notification regarding registration of the move. The notification will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the type and series of the gaming equipment for which the application is submitted, as well as the gambling premises where the activity will be carried out. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

b) proof that the premises where the activity will be carried out have been registered as the organiser's work point at the National Trade Register Office;

B. For authorisations to operate games of chance in casinos:

1. application for authorisation of the activity. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the type and series of the gaming equipment for which the application is submitted, the gambling premises where the activity will be carried out, as well as the opening hours. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. a detailed description of the activity, including a layout diagram of the gambling premises, indicating the location of the main and auxiliary gaming equipment;

3. the operating rules for each game, which will stipulate, if applicable, the payout percentage from the total amount of cash collected;

4. documents which prove the ownership or usage right over the gambling premises, as well as proof that the premises are registered as a work point;

5. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, valuables, etc. is ensured;

6. proof of technical inspection, issued by the Romanian Bureau of Legal Metrology (only where applicable);

7. documents which certify that the gaming equipment is of legal origin;

8. proof of constitution of a guarantee fund;

9. the member of the executive management appointed to be responsible for ensuring compliance with the authorisation requirements;

10. a self-declaration of the organiser, stating that the premises where the gaming equipment will be operated comply with the sanitary guidelines and fire safety regulations;

11. to add new gaming equipment:

c) an application for supplementation of the authorisation. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the type and series of the gaming equipment for which the application is submitted, as well as the gambling premises where the activity will be carried out. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

d) a detailed description of the activity, including the new layout diagram of the gambling premises, indicating the location of the gaming equipment;

e) the operating rules for each game, which will stipulate, if applicable, the payout percentage from the total amount of cash collected;

f) documents which certify that the gaming equipment is of legal origin;

g) proof of constitution of a guarantee fund;

h) proof of technical inspection, issued by the Romanian Bureau of Legal Metrology (only where applicable).

C. For authorisations to operate bingo games taking place in gaming halls:

1. application for authorisation of the activity. The application, drawn up and typed in Romanian, signed and stamped by the legal representative of the economic operator, will contain: the applicant's identification data, the type and series of the gaming equipment for which the application is submitted, the gambling premises where the activity will be carried out, as well as the opening hours. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. a detailed description of the activity, including a layout diagram of the gambling premises, indicating the location of the main and auxiliary gaming equipment;

3. the operating rules, which will stipulate the payout percentage from the total amount of cash collected;

4. documents which prove the ownership or usage right over the gambling premises, as well as proof that the premises are registered as a work point;

5. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, valuables, etc. is ensured;

6. proof of technical inspection of the turbo blower, issued by the Romanian Bureau of Legal Metrology;

7. documents which certify that the main and auxiliary gaming equipment is of legal origin;

8. proof of constitution of a guarantee fund;

9. a self-declaration of the organiser, stating that the premises where the gaming equipment will be operated comply with the sanitary guidelines and fire safety regulations.

D. For authorisations to operate fixed-odds betting games:

1. application for authorisation of the activity. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the type of activity for which the application is submitted, as well as the premises

(agencies) where the activity will be carried out. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. a detailed description of the activity, including the location of the server. The way in which interconnection with the betting agencies is ensured, the method used to ensure and guarantee the security of all centralised information about the total turnover for each betting agency, as well as the method used to ensure interconnection with the system installed at the National Gambling Office;

3. the operating rules for each game, which will stipulate, if applicable, the payout percentage from the total amount of cash collected;

4. documents which prove the ownership or usage right over the gambling premises (only for work points which are not included in the confirmation of company details issued by the National Trade Register Office);

5. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, valuables, etc. is ensured, as well as the location of the server;

6. a document certifying the usage right granted to the organiser by the rightful holder of the software;

7. proof of constitution of a guarantee fund;

8. a self-declaration of the organiser, stating that the premises where the activity will be carried out comply with the sanitary guidelines and fire safety regulations;

9. to add new betting agencies:

a) an application for registration of the new betting agencies. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the location of the agencies and the terminals inside these agencies which are interconnected to the system. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

b) the method used to ensure interconnectivity with the system reference server;

c) proof of constitution of a guarantee fund;

d) a self-declaration of the organiser, stating that the premises where the activity will be carried out comply with the sanitary guidelines and fire safety regulations.

E. For authorisations to operate bingo games organised via television network systems:



1. application for authorisation of the activity. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the type and series of the gaming equipment for which the application is submitted, the premises where the activity will be carried out (the televised component), as well as the locations (agencies) through which the tickets are distributed. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, valuables, etc. is ensured, including the location of the server. The method used to collect data within the computer system, the method used to ensure and guarantee the security of the centralised information, as well as the method used to ensure interconnection with the system installed at the National Gambling Office will be specified;

3. the agreement for carrying out the activity, concluded with the television broadcaster;

4. the operating rules for each game, which will stipulate the payout percentage from the total amount of cash collected;

5. proof of technical inspection of the turbo blower, issued by the Romanian Bureau of Legal Metrology;

6. documents which certify that the main and auxiliary gaming equipment is of legal origin;

7. proof of constitution of a guarantee fund;

8. repealed.

9. a self-declaration of the organiser, stating that the premises where the ticket distribution activities will be carried out comply with the sanitary guidelines and fire safety regulations;

10. to add new agencies:

a) an application for registration of the new agencies. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the location of the agencies and the method used to collect data within the computer system. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

b) proof of constitution of a guarantee fund;

c) a self-declaration of the organiser, stating that the premises where the activity will be carried out comply with the sanitary guidelines and fire safety regulations.

F. For authorisations to operate bingo games organised via internet communication systems, landline or mobile telephone systems:

1. application for authorisation of the activity. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, as well as a description of the gaming equipment and technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application, specifying the location of this equipment. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. documents which certify that the conditions stipulated in Article 73<sup>16</sup>(1)(d) of the Decision have been complied with;

3. the operating rules for each game, which will stipulate the payout percentage from the total amount of cash collected, in accordance with the legal provisions;

4. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, information and data are ensured, the way in which interconnection with the monitoring and reporting operator's system or the system installed at the National Gambling Office is ensured, as well as the location of the server, the disaster recovery plan and the database back-up system being used;

5. documents which prove the ownership or usage right over the gaming equipment and technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application;

6. submitting the monitoring contract concluded with the monitoring and reporting operator to the Monitoring Committee, for approval;

7. a confirmation issued by the monitoring and reporting operator, stating that the technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application has been audited in accordance with Article 73<sup>3f</sup>) of the Decision;

8. a document issued by the monitoring and reporting operator, stating that the gaming programme, the theoretical payout percentage (RTP) and the random number generator have been internationally certified by bodies/laboratories that are recognised in this field;

9. proof of constitution of a guarantee fund;

10. data about the contact person within the executive management who has been appointed to be responsible for ensuring compliance with the authorisation requirements;

11. a self-declaration of the gambling organiser stating that the premises where the technical equipment which provides the support for organising, operating and broadcasting the games of chance is installed and used comply with the sanitary

guidelines and fire safety regulations, if they hold the technical equipment in Romania;

12. for live transmissions, proof that the premises from where the live transmission takes place via internet communication systems, landline or mobile telephone systems, have been issued with a valid authorisation to operate bingo games taking place in halls or a valid authorisation to operate bingo games operated via television network systems;

13. a document certifying the usage right granted to the organiser by the rightful holder of the software;

14. proof of registration as a personal data operator, issued by the National Supervisory Authority for Personal Data Processing.

G. For authorisations to operate online betting games:

1. application for authorisation of the activity. The application, drawn up and typed in Romanian, signed and stamped by the legal representative of the economic operator, will contain: the applicant's identification data, as well as a description of the gaming equipment and technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application, specifying the location of this equipment. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. documents which certify that the conditions stipulated in Article 73<sup>16</sup>(1) (d) of the Decision have been complied with;

3. the operating rules for each game, which will stipulate, if applicable, the payout percentage from the total amount of cash collected;

4. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, information and data are ensured, the way in which interconnection with the monitoring and reporting operator's system is ensured, as well as the location of the server, the disaster recovery plan and the database back-up system being used;

5. documents which prove the ownership or usage right over the gaming equipment and technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application;

6. submitting the monitoring contract concluded with the monitoring and reporting operator to the Committee, for approval;

7. a confirmation issued by the monitoring and reporting operator, stating that the technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application has been audited in accordance with Article 73<sup>3</sup>(f) of the Decision;

8. a document issued by the monitoring and reporting operator, stating that the gaming programme, the theoretical payout percentage (RTP) and the random number generator have been internationally certified by bodies/laboratories that are recognised in this field;

9. proof of constitution of a guarantee fund;

10. data about the contact person within the executive management who has been appointed to be responsible for ensuring compliance with the authorisation requirements;

11. a self-declaration of the gambling organiser stating that the premises where the technical equipment which provides the support for organising, operating and broadcasting the games of chance is installed and used comply with the sanitary guidelines and fire safety regulations, if they hold the technical equipment in Romania;

12. a document certifying the usage right granted to the organiser by the rightful holder of the software;

13. proof of registration as a personal data operator at the National Supervisory Authority for Personal Data Processing.

H. For authorisations to operate online games of chance, other than those defined in Article 10(1)(a), (e)-(h) of Government Emergency Ordinance No 77/2009 regarding the organisation and operation of games of chance, approved with amendments and additions by Law No 246/2010, with its subsequent amendments and additions:

1. application for authorisation of the activity. The application, drawn up and typed in Romanian, signed and stamped by the legal representative of the economic operator, will contain: the applicant's identification data, as well as a description of the gaming equipment and technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application, specifying the location of this equipment. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. documents which certify that the conditions stipulated in Article 73<sup>16</sup>(1)(d) of the Decision have been complied with;

3. the operating rules for each game, which will stipulate the payout percentage from the total amount of cash collected;

4. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents, information and data are ensured, the way in which interconnection with the monitoring and reporting operator's system is ensured, as well as the location of the server, the disaster recovery plan and the database back-up system being used;

5. documents which prove the ownership or usage right over the gaming equipment and technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application;

6. submitting the monitoring contract concluded with the monitoring and reporting operator to the Committee, for approval;

7. a confirmation issued by the monitoring and reporting operator, stating that the technical equipment which provides the support for organising, operating and broadcasting the games of chance subject to the application has been audited in accordance with Article 73<sup>3</sup>(f) of the Decision;

8. a document issued by the monitoring and reporting operator, stating that the gaming programme, the theoretical payout percentage (RTP) and the random number generator have been internationally certified by bodies/laboratories that are renowned in this field;

9. proof of constitution of a guarantee fund;

10. data about the contact person within the executive management who has been appointed to be responsible for ensuring compliance with the authorisation requirements;

11. a self-declaration of the gambling organiser stating that the premises where the technical equipment which provides the support for organising, operating and broadcasting the games of chance is installed and used comply with the sanitary guidelines and fire safety regulations, if they hold the technical equipment in Romania;

12. for live transmissions, proof that the premises from where the live transmission takes place via internet communication systems, landline or mobile telephone systems, have been issued with a valid authorisation to operate games of chance in casinos;

13. a document certifying the usage right granted to the organiser by the rightful holder of the software;

14. proof of registration as a personal data operator at the National Supervisory Authority for Personal Data Processing.

I. For authorisations to operate bingo games of chance characteristic to poker games:

1. application for authorisation of the activity. The application will be drawn up and typed in Romanian, will be signed and stamped by the legal representative of the economic operator and will contain: the applicant's identification data, the type and series of the gaming equipment for which the application is submitted, the gambling premises where the activity will be carried out, as well as the opening hours. Should computer-based support applications be developed and available, the application will only be drawn up using these means;

2. a detailed description of the activity, including a layout diagram of the gambling premises, indicating the location of the main and auxiliary gaming equipment;

3. the operating rules for each game;

4. documents which prove the ownership or usage right over the gambling premises, as well as proof that the premises are registered as a work point;

5. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents and valuables is ensured, as well as other aspects stipulated by the legal regulations in force;

6. documents which certify that the gaming equipment is of legal origin;

7. proof of constitution of a guarantee fund;

8. a self-declaration of the organiser, stating that the premises where the gaming equipment will be operated comply with the sanitary guidelines and fire safety regulations.

**ANNEX 4**

**DECLARATION**

**regarding the import, intra-Community acquisition or production of gaming equipment**

The undersigned, ....., identified with ....., in the capacity of director of ..... Trading Company, with the registered office in: County ....., Locality ....., Street ..... No. ...., Block ....., Entrance ..., Floor ....., Apartment ....., Postcode ....., with the unique registration code ....., hereby declare the import/intra-Community acquisition/production of a number of ..... pieces of gaming equipment, as follows:

\*T\*

Item No	Type of gaming equipment	Series of the gaming equipment	Producer	Year of manufacture	Place of storage of the gaming equipment

\*ST\*

**DECLARATION**  
**regarding the sale/purchase of gaming equipment**

The undersigned, ....., identified with ....., in the capacity of director of ..... Trading Company, with the registered office in: County....., Locality ....., Street ..... No ....., Block ....., Entrance ...., Floor ....., Apartment ....., Postcode ....., with the unique registration code ....., hereby declare the sale/purchase of a number of ..... pieces of gaming equipment, as follows:

\*T\*

Item No	Type of gaming equipment	Series of the gaming equipment	Producer	Year of manufacture	Place of storage of the gaming equipment*)

\*ST\*

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\*) To be filled in only by the economic operator who purchases the gaming equipment.



**DECLARATION**  
**regarding the decommissioning of gaming equipment**

The undersigned, ....., identified with ....., in the capacity of director of ..... Trading Company, with the registered office in: County....., Locality ....., Street ..... No ....., Block ....., Entrance ....., Floor ....., Apartment ....., Postcode ....., with the unique registration code ....., hereby declare the decommissioning of a number of ..... pieces of gaming equipment, as follows:

\*T\*

Item No	Type of gaming equipment	Series of the gaming equipment	Producer	Year of manufacture	Decommissioning method*)

\*ST\*

-----

\*) Scrapping, export, storage, preservation.

**ANNEX 7**

Organiser: Trading Company .....

Hall located in .....

Date .....

***NOTIFICATION regarding the organisation of jackpot-type systems***

The undersigned, ....., identified with ....., in the capacity of director of ..... Trading Company, with the registered office in: County....., Locality ....., Street ..... No ....., Block ....., Entrance ..., Floor ..., Apartment ....., Postcode ....., with the unique registration code ....., hereby notify the organisation of a number of .... jackpot-type systems, as follows:

\*T\*

Item No	Identification of the jackpot-type system	Number of interconnected slot machines	Type of slot-machine	Series of slot-machine	Location of the jackpot-type system
1					
2					
3					



\*ST\*

ROMBET

**ANNEX 8a)**

Organiser: Trading Company .....

Occupier of the premises: Trading Company .....

Hall located in .....

Date .....

**STATEMENT OF DAILY INCOME**  
**obtained from the operation of slot machine-type systems(lei)**

The meaning of the columns in the table below is as follows:

- A - item No;
- B - series of the gaming equipment/number allocated by the organiser to the jackpot-type system;
- C - start meter index (Si);
- D - final meter index (Sf);
- E - multiplication factor (F);
- F - difference between the meter indices(D) = (Sf - Si) x F;
- G - pulse balance;
- H - price/pulse.

\*T\*

A	B	C			D			E			F			G	H	Income/ac cumulated jackpot
		I	Ej	Ei	I	Ej	Ei	I	Ej	Ei	I	Ej	Ei	=11-12-13	lei	lei
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16=14 x15

1.																			
2.																			
3.																			
TOTAL SLOT-MACHINE																			
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL JACKPOT		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

TOTAL LEI: .....

\*ST\*

Drawn up by

Name and surname .....

Position .....

Signature .....

Instructions for filling in the "Statement of daily income obtained from the operation of slot machine-type systems(lei)"

The statement of daily income obtained from the operation of slot machine-type systems(lei) may be drawn up in electronic format or on paper.

If the economic operator draws up the Statement of daily income obtained from the operation of slot machine-type systems(lei) in electronic format, they are obliged to submit it to the control bodies, at their request, in paper format.

If the economic operator draws up the Statement of daily income obtained from the operation of slot machine-type systems(lei) in paper format, the form will have the dimensions of an A4 sheet of paper. The forms will be compiled in a register

containing 100 sheets, which will be bound and numbered. This will be registered by the organiser with the tax authority responsible for their tax administration.

The register will be drawn up by the organiser at the place where they carry out the activity.

It will not be circulated outside of the premises, since it is a primary accounting document which forms the basis for drawing up the cash register.

Once the register is completed, it will be archived by the organiser at their headquarters.

Method for filling in:

- column 0 = running number of the piece of equipment in the hall/running number allocated by the organiser to the jackpot-type system. For systems organised by interconnecting gaming equipment from several locations, the word "extended" will also be mentioned in addition to the allocated number;

- column 1 = series of the gaming equipment;

- column 2 (I) = index at the start of the day for the input meter;

- column 3 (Ej) = index at the start of the day for the output meter;

- column 4 (Ei) = index at the start of the day for the impulse output meter;

- column 5 (I) = index at the end of the day for the input meter;

- column 6 (Ej) = index at the end of the day for the output meter;

- column 7 (Ei) = index at the end of the day for the impulse output meter;

- column 8 = multiplication factor\*) for the input meter;

- column 9 = multiplication factor\*) for the output meter;

- column 10 = multiplication factor\*) for the impulse output meter;

- column 11 = turnover during the day - input( $\text{col. 5} - \text{column 2}$ ) x column 8;

- column 12 = turnover during the day - token output( $\text{column 6} - \text{column 3}$ ) x column 9;

- column 13 = turnover during the day - impulse output( $\text{column 7} - \text{column 4}$ ) x column 10;

- column 14 = impulse balance ( $\text{column 11} - \text{column 12} - \text{column 13}$ );

- column 15 = price of an impulse in lei;

- column 16 = cash collected, in lei, from operating the game ( $\text{column 14} \times \text{column 15}$ )/amounts accumulated in each jackpot-type system and the amounts accumulated in all the systems organised via the equipment located within the premises, respectively

---

\*) The multiplication factor is mentioned in the proof of technical inspection, for each individual meter.

ROMBET

**ANNEX 8b)**

Organiser: Trading Company .....

Occupier of the premises: Trading Company .....

Hall located in: .....

Date .....

**STATEMENT OF DAILY INCOME**  
**obtained from the operation of slot machine-type systems (foreign currency)**

The meaning of the columns in the table below is as follows:

- A - item No;
- B - series of the gaming equipment/number allocated by the organiser to the jackpot-type system;
- C - start meter index (Si);
- D - final meter index (Sf);
- E - multiplication factor (F);
- F - difference between the meter indices (D) = (Sf - Si) x F;
- G - pulse balance;
- H - price/pulse.

\*T\*

A	B	C			D			E			F			G	H	Income/accumulated jackpot			
		I	Ej	Ei	I	Ej	Ei	I	Ej	Ei	I	Ej	Ei	=11-12-13	Fore ign curr ency	For eig n cur	lei	lei	



																	ren cy		
0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16=	17	18=	
																14x	16x		
																15	17	16x	
																		17	
1.																			
2.																			
3.																			
TOTAL SLOT- MACHINE																			
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL JACKPOT	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

TOTAL (foreign currency) ..... = ..... lei

\*ST\*

Drawn up by

Name and surname .....

Position .....

Signature .....

Instructions for filling in the "Statement of daily income  
obtained from the operation of slot machine-type  
systems (foreign currency) "

The statement of daily income obtained from the operation of slot machine-type systems (foreign currency) may be drawn up in electronic format or on paper.

If the economic operator draws up the Statement of daily income obtained from the operation of slot machine-type systems (foreign currency) in electronic format, they are obliged to submit it to the control bodies, at their request, in paper format.

If the economic operator draws up the Statement of daily income obtained from the operation of slot machine-type systems (foreign currency) in paper format, the form will have the dimensions of an A4 sheet of paper. The forms will be compiled in a register containing 100 sheets, which will be bound and numbered. This shall be registered by the organiser with the tax authority responsible for their tax administration.

The register will be drawn up by the organiser at the place where they carry out the activity.

It will not be circulated outside of the premises, since it is a primary accounting document which forms the basis for drawing up the cash register.

Once the register is completed, it will be archived by the organiser at their headquarters.

Method for filling in:

- column 0 = running number of the piece of equipment in the hall/running number allocated by the organiser to the jackpot-type system. For systems organised by interconnecting gaming equipment from several locations, the word "extended" will also be mentioned in addition to the allocated number.

- column 1 = series of the gaming equipment;

- column 2 (I) = index at the start of the day for the input meter;

- column 3 (Ej) = index at the start of the day for the output meter;

- column 4 (Ei) = index at the start of the day for the impulse output meter;

- column 5 (I) = index at the end of the day for the input meter;

- column 6 (Ej) = index at the end of the day for the output meter;

- column 7 (Ei) = index at the end of the day for the impulse output meter;

- column 8 = multiplication factor\*) for the input meter;

- column 9 = multiplication factor\*) for the output meter;

- column 10 = multiplication factor\*) for the impulse output meter;

- column 11 = turnover during the day - input (col. 5 - column 2) x column 8;

- column 12 = turnover during the day - token output(column 6 - column 3) x column 9;

- column 13 = turnover during the day - impulse output(column 7 - column 4) x column 10;

- column 14 = impulse balance(column 11 - column 12 - column 13);

- column 15 = price of an impulse in .... (foreign currency);

- column 16 = cash collected in ..... (foreign currency) from operation of the game(column 14 x column 15)/amounts accumulated in each jackpot-type system and the amounts accumulated in all the systems organised via the equipment located within the premises, respectively;

- column 17 = exchange rate for ... (foreign currency), established by the National Bank of Romania for the respective day;

- column 18 = cash collected, in lei, from operating the game (column 16 x column 17)/amounts accumulated in each jackpot-type system and the amounts accumulated in all the systems organised via the equipment located within the premises, respectively.

---

\*) The multiplication factor is mentioned in the proof of technical inspection, for each individual meter.

**ANNEX 9a)**

Organiser: Trading Company .....

Occupier of the premises: Trading Company .....

Hall located in .....

Month ....., Year .....

**STATEMENT OF MONTHLY INCOME**  
**obtained from the operation of slot machine-type systems(lei)**

The meaning of the columns in the table below is as follows:

- A - item No;
- B - series of the gaming equipment/number allocated by the organiser to the jackpot-type system;
- C - start meter index (Si);
- D - final meter index (Sf);
- E - multiplication factor (F);
- F - difference between the meter indices(D) = (Sf - Si) x F;
- G - pulse balance;
- H - price/pulse.

\*T\*

A	B	C	D	E	F	G	H	Income/ac cumulated jackpot
		I Ej Ei	I Ej Ei	I Ej Ei	I Ej Ei	I Ej Ei	=11-12-13	lei  lei

0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16=14x15
1.																
2.																
3.																
TOTAL SLOT-MACHINE																
1	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL JACKPOT																
	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

TOTAL LEI: .....

\*ST\*

Drawn up by

Name and surname .....

Position .....

Signature .....

Instructions for filling in the "Statement of  
monthly income obtained from the operation of slot  
machine-type systems(lei)"

A4 form for the activities relating to the operation of slot machine-type gaming equipment.

The forms will be compiled in a register containing 100 sheets, which will be bound and numbered. This will be registered by the organiser with the tax authority responsible for their tax administration.

The register will be drawn up by the organiser at the place where they carry out the activity.

It will be used to generate a centralised statement of the cash collected from operation of the slot machine-type systems.

It will be drawn up monthly, on the basis of the data provided in the form "Statement of daily income obtained from the operation of slot machine-type systems(lei)" drawn up in electronic or paper format.

It will not be circulated outside of the premises, since it is a primary accounting document which forms the basis for drawing up the cash register.

Once the register is completed, it will be archived by the organiser at their headquarters.

Method for filling in:

- column 0 = running number of the piece of equipment in the hall/running number allocated by the organiser to the jackpot-type system. For systems organised by interconnecting gaming equipment from several locations, the word "extended" will also be mentioned in addition to the allocated number;

- column 1 = series of the gaming equipment;

- column 2 (I) = index at the start of the month for the input meter;

- column 3 (Ej) = index at the start of the month for the token output meter;

- column 4 (Ei) = index at the start of the month for the impulse output meter;

- column 5 (I) = index at the end of the month for the input meter;

- column 6 (Ej) = index at the end of the month for the token output meter;

- column 7 (Ei) = index at the end of the month for the impulse output meter;

- column 8 = multiplication factor\*) for the input meter;

- column 9 = multiplication factor\*) for the token output meter;

- column 10 = multiplication factor\*) for the impulse output meter;

- column 11 = turnover during the month - input(column 5 - column 2) x column 8;

- column 12 = turnover during the month - token output(column 6 - column 3) x column 9;

- column 13 = turnover during the month - impulse output(column 7 - column 4) x column 10;

- column 14 = impulse balance (column 11 - column 12 - column 13);

- column 15 = price of an impulse in lei;

- column 16 = cash collected, in lei, from operating the game (column 14 x column 15)/amounts accumulated in each jackpot-type system and the amounts accumulated in all the systems organised via the equipment located within the premises, respectively, which must be equal to the total obtained by adding up the values entered in column 16 of the form "Statement of daily income obtained from the operation of slot machine-type systems (lei)".

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\*) The multiplication factor is mentioned in the proof of technical inspection, for each individual meter.

**ANNEX 9b)**

Organiser: Trading Company .....

Occupier of the premises: Trading Company .....

Hall located in .....

Month ....., Year .....

**STATEMENT OF MONTHLY INCOME**  
**obtained from the operation of slot machine-type systems (foreign currency)**

The meaning of the columns in the table below is as follows:

- A - item No;
- B - series of the gaming equipment/number allocated by the organiser to the jackpot-type system;
- C - start meter index (Si);
- D - final meter index (Sf);
- E - multiplication factor (F);
- F - difference between the meter indices (D) = (Sf - Si) x F;
- G - pulse balance;
- H - price/pulse.

\*T\*

A	B	C			D			E			F			G	H	Income/accumulated jackpot			
		I	Ej	Ei	I	Ej	Ei	I	Ej	Ei	I	Ej	Ei	=11-12-13	Fore ign curr ency	For eig n cur ren cy	lei	lei	



0	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16= 14x 15	17	18= 16x 17
1.																		
2.																		
3.																		
TOTAL SLOT-MACHINE																		
1		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
2		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
TOTAL JACKPOT		-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-

TOTAL LEI: .....

\*ST\*

Drawn up by

Name and surname .....

Position .....

Signature .....

Instructions for filling in the "Statement of monthly  
income obtained from the operation of slot machine-  
type systems (foreign currency) "

A4 form for the activities relating to the operation of slot machine-type gaming  
equipment.

The forms will be compiled in a register containing 100 sheets, which will be bound and numbered. This will be registered by the organiser with the tax authority responsible for their tax administration.

The register will be drawn up by the organiser at the place where they carry out the activity.

It will be drawn up monthly, on the basis of the data provided in the form "Statement of daily income obtained from the operation of slot machine-type systems (foreign currency)" drawn up in electronic or paper format.

It will not be circulated outside of the premises, since it is a primary accounting document which forms the basis for drawing up the cash register.

Once the register is completed, it will be archived by the organiser at their headquarters.

Method for filling in:

- column 0 = running number of the piece of equipment in the hall/running number allocated by the organiser to the jackpot-type system. For systems organised by interconnecting gaming equipment from several locations, the word "extended" will also be mentioned in addition to the allocated number;

- column 1 = series of the gaming equipment;

- column 2 (I) = index at the start of the month for the input meter;

- column 3 (E<sub>j</sub>) = index at the start of the month for the token output meter;

- column 4 (E<sub>i</sub>) = index at the start of the month for the impulse output meter;

- column 5 (I) = index at the end of the month for the input meter;

- column 6 (E<sub>j</sub>) = index at the end of the month for the token output meter;

- column 7 (E<sub>i</sub>) = index at the end of the month for the impulse output meter;

- column 8 = multiplication factor\*) for the input meter;

- column 9 = multiplication factor\*) for the token output meter;

- column 10 = multiplication factor\*) for the impulse output meter;

- column 11 = turnover during the month - input(column 5 - column 2) x column 8;

- column 12 = turnover during the month - token output(column 6 - column 3) x column 9;

- column 13 = turnover during the month - impulse output(column 7 - column 4) x column 10;

- column 14 = impulse balance (column 11 - column 12 - column 13);

- column 15 = price of an impulse in ..... (foreign currency);

- column 16 = cash collected in .... (foreign currency) from operation of the game (column 14 x column 15) / amounts accumulated in each jackpot-type system, which must be equal to the total obtained by adding up the values entered in column 16 of the form "Statement of daily income obtained from the operation of slot machine-type systems (foreign currency)", and the amounts accumulated in all the systems organised via the equipment located within the premises, respectively;

- column 17 = cash collected, in lei, from operation of the game / amounts accumulated in each jackpot-type system, which must be equal to the total obtained by adding up the values entered in column 18 of the form "Statement of daily income obtained from the operation of slot machine-type systems (foreign currency)", and the amounts accumulated in all the systems organised via the equipment located within the premises, respectively.

---

\*) The multiplication factor is mentioned in the proof of technical inspection, for each individual meter.

**ANNEX 10a)**

Organiser: Trading Company .....

Date .....

\*T\*

**DAILY STATEMENT**  
**concerning takings from the gaming tables**

Gaming table	Value of the chips at the start of the game		Value of the chips at the end of the game		Difference	Cash		Total takings		
	In foreign currency (symbol)	In lei	In foreign currency (symbol)	In lei		In foreign currency (symbol)	In lei	In foreign currency (symbol)	In lei	In lei
1	2	3	4	5	6=4-2	7=5	8	9	10=6+8	11=7+9
						-3				
TOTAL										

Director

Chief Accountant,

Cashier,

.....

.....

.....

\*ST\*

Instructions for filling in the form  
"Daily statement concerning takings from the gaming tables"

Form in A4 format, specific to casino activities.

It will serve as an accounting document for recording takings from gaming tables.

It will be drawn up daily by the accounting department, on the basis of the primary game closing documents.

It will not be circulated, since it is a document that is part of the accounting records.

It will be approved within the accounting department, along with supporting documents and accounting reports.

Method for drawing up:

- column 1 = type and number of the gaming table operated. For example: AR 1 = Roulette Table 1; BJ 1 = Black-Jack Table 1, etc.;

- column 2 = value of the chips at the start of the games, in.... (foreign currency), when operating in foreign currency; if operating in lei, enter 0 (zero);

- column 3 = value of the chips at the start of the games, in lei; when operating in foreign currency, the amount will represent the equivalent in lei of the foreign currency, at the exchange rate of the National Bank of Romania for that day (column 2 x the exchange rate of the National Bank of Romania for .... - foreign currency - for that day);

- column 4 = value of the chips upon closure of the games, in foreign currency; when operating in lei, the column will be filled in with 0 (zero);

- column 5 = value of the chips upon closure of the games, in lei; when operating in foreign currency, the column will be filled in with the amount representing column 4 x the exchange rate of the National Bank of Romania for ... (foreign currency) for that day;

- column 6 = the difference between the value in foreign currency of the chips at the start and the value in foreign currency of the chips upon closure of the games;

- column 7 = idem column 6, in lei;

- column 8 = amount in foreign currency, in cash, at the gaming table; if operating in lei, enter 0 (zero);

- column 9 = amount in lei, in cash, at the gaming table; if operating in foreign currency, convert the amount in column 8 into lei, at the exchange rate of the National Bank of Romania for ... (foreign currency) for that day;

- column 10 = total takings in foreign currency (column 6 + column 8); when operating in lei, enter 0 (zero);

- column 11 = total takings in lei (column 7 + column 9); if operating in foreign currency, enter the amount equivalent to the amount in foreign currency in column 10, converted at the exchange rate of the National Bank of Romania for .... (foreign currency) for that day.

ROMBET

**ANNEX 10b)**

Organiser: Trading Company .....

**SUMMARY**  
**of the takings from the gaming tables for the**  
 Month ....., Year .....

\*T\*

Day	Takings		Prize payouts		Total takings	
	In foreign currency (symbol)	In lei	In foreign currency (symbol)	In lei	In foreign currency (symbol)	In lei
1	2	3	4	5	6=2-4	7=3-5
TOTAL						

Exchange rate: 1 ..... (foreign currency) = ..... lei

Director  
 .....

Chief Accountant,  
 .....

Cashier,  
 .....

\*ST\*

Instructions for filling in the form "Summary of  
the takings from the gaming tables for the month  
....., year ....."

Form in A4 format, specific to casino activities:

1. will be used to:

- determine the tax base for the takings from casino activities;
- record the income and expenses relating to operation of the gaming tables in the accounts;

2. It will be drawn up by the financial-accounting department in two copies:

- one copy will be archived with the accounting report;
- one copy will be archived in a separate file, held by the financial-accounting department.

Method for drawing up:

- column 1 = day when the games take place;
- column 2 = takings in ..... (foreign currency); when operating in foreign currency, if the result was positive, the amount will be taken from the form "Daily statement of takings", line "Total" - column 10;
- column 3 = idem column 2, in lei; the amount will be taken from the form "Daily statement of takings", line "Total" - column 11;
- column 4 = prize payouts in ..... (foreign currency); when operating in foreign currency, if the daily result was negative (loss), line "Total" - column 10;
- column 5 = idem column 4, in lei, line "Total" - column 11;
- column 6 = takings in foreign currency, cumulated from the start of the month.

Example: on the 5th of the month, the takings in foreign currency recorded in column 2 for the 1st, 2nd, 3rd, 4th and 5th of the month will be cumulated, and then the loss days registered during the respective period will be deducted;

- column 7 = idem column 6, in lei.

Line "Total" = control line

Total column 2 - total column 4 = total column 6

Total column 3 - total column 5 = total column 7.

3. It will not be circulated, since it is a document that is part of the accounting records.



**ANNEX 11**

Organiser .....

Date .....

**STATEMENT**  
**regarding monthly takings from a bingo hall/bingo games organised via**  
**television network systems**

\*T\*

Item No	Indicator	Value
1.	ACTUAL TAKINGS	
2.	Prizes awarded	

Item No	Indicator	Value
2.1	Line prizes	
2.2.	Bingo prizes	
2.3.	Accumulated bingo prizes	
2.4.	Special prizes	
2.5.	TOTAL PRIZES AWARDED: (line 2.1 + ... + line 2.4)	
3.	TOTAL TAKINGS (line 1 - line 2.5):	

Director

Cashier,

.....

.....

\*ST\*

Instructions for filling in the form  
"Statement regarding monthly takings from a bingo  
hall/bingo games organised via  
television network systems"

The form will be drawn up by the chief cashier in three copies, in a register consisting of 100 pages, which must be bound, numbered and stamped by the tax authority responsible for the tax administration of the economic operator.

It will be drawn up on the basis of the "daily statements ...".

How to fill in the form:

- line 1 = value of the tickets sold for the games organised that day; add up the daily total sales entered in the "daily statements ...";

- line 2.1 - 2.4 - add up the values entered in the "daily statements...".

**ANNEX 12**

Organiser .....

Date .....

**MONTHLY STATEMENT**  
**regarding takings from fixed-odds betting for the month...**

\*T\*

1. Takings from ticket sales

Item No	Indicator	Value
1.1	Cumulated in the previous month	
1.2	Current month	
1.3	Cumulated at the end of the reporting period	

2. Prizes awarded

Item No	Type of prize	Value
2.1	Cumulated in the previous month	
2.2.	Current month - total, of which:	
	-	
2.3.	Cumulated at the end of the reporting period	
	3. Tax effectively owed	
	4. Previously paid tax	
	5. Difference of tax owed	

2^1. Income registered

Director	Cashier,
.....	.....

\*ST\*

Instructions for filling in the form

«Monthly statement regarding takings from fixed-odds betting for the month...»

The form will be drawn up by the chief cashier in three copies, in a register consisting of 100 pages, which must be bound, numbered and stamped by the tax authority responsible for the tax administration of the economic operator.

How to fill in the form:

- line 1.1 - value of the participation tickets sold for the games organised during the respective month, cumulated until the end of the month preceding the reporting month;
- line 1.2 - value of the participation tickets sold for the games organised during the reporting month; add up the total daily sales;
- line 1.3 - add up the values in line 1.1 and line 1.2;
- line 2.1. - value of the prize payouts for the participation tickets sold up until the reporting month; add up the total daily prizes;
- line 2.2 - value of the prize payouts for the participation tickets sold during the reporting month; add up the total daily prizes;
- line 2.3 - add up the values in line 2.1 and line 2.2;
- line 2^1 - deduct the value entered in line 2.2 from the value entered in line 1.2; the result will represent the income registered by the economic operator;
- line 3 - authorisation fee calculated at the value of the reporting month;
- line 4 - authorisation fee effectively paid;
- line 5 - fee owed, calculated as the difference between the values entered in line 3 and line 4.

**DOCUMENTS**

***needed to obtain an authorisation to monitor and report the games of chance***

defined in Article 10(1)(g)-(i) of Government Emergency Ordinance No 77/2009 regarding the organisation and operation of gambling games

1. an application asking the Monitoring Committee to grant an authorisation as a monitoring and reporting operator for the games of chance defined in Article 10(1)(g)-(i) of Government Emergency Ordinance No 77/2009 regarding the organisation and operation of gambling games, approved with amendments and additions by Law No 246/2010, with its subsequent amendments and additions, hereafter referred to as the Emergency Ordinance. The application, drawn up and typed in Romanian, signed and stamped by the legal representative of the economic operator, will contain:

- the applicant's identification data;
- a description of the monitoring and reporting activity, specifying the technical solutions and computer system being used, as well as a presentation of the employees;
- a description of the technical equipment;
- a description of the premises where the technical equipment will be installed and operated;

2. a confirmation of company details issued by the National Trade Register Office with jurisdiction over the area where the headquarters of the economic operator are located, specifying the following:

- the identification elements of the economic operator (form of organisation, name, address of their registered office, unique registration code);
- the subscribed and paid up share capital;
- the shareholding structure or partners, as applicable;
- the name, surname and address of the legal representatives;
- that the object of activity includes the activities belonging to NACE Group 620;
- the registered secondary offices and their addresses;

3. certificate of incorporation issued by the National Trade Register Office with jurisdiction over the area where the headquarters of the economic operator are located;

4. documents which certify that the conditions stipulated in Article 73<sup>2</sup>(5) of the Decision have been complied with;

5. proof of registration as a personal data operator at the National Supervisory Authority for Personal Data Processing;

6. documents regarding the ownership or usage right over the technical equipment via which they will carry out specific activities in the capacity of monitoring and reporting operator for the games of chance defined in Article 10(1)(g)-(i) of the Emergency Ordinance;

7. a detailed description of the activity, including the location of the server. The method used to ensure interconnection with online gambling organisers, the method used to collect data within the computer system, the method used to ensure and guarantee the security of the centralised information requested by the Monitoring Committee, as well as the method used to ensure interconnection with the system installed at the National Gambling Office will be specified;

8. operating manual for the system implemented by the monitoring and reporting operator in order to perform their duties stipulated in the Emergency Ordinance and this Decision;

9. the internal rules for organising and carrying out the activity, specifying in detail: the duties and responsibilities of the personnel, the financial and accounting record system, the way in which the security of the documents and data are ensured, as well as the location of the server;

10. proof of constitution of a guarantee fund;

11. data about the contact person within the executive management who has been appointed to be responsible for ensuring compliance with the authorisation requirements;

12. a self-declaration of the monitoring and reporting operator stating that the premises where they have installed and where they use the technical equipment which provides the support for monitoring and reporting the games of chance defined in Article 10(1)(g)-(i) of the Emergency Ordinance comply with the sanitary guidelines and fire safety regulations;

13. the approval granted by the police authorities to all legal representatives of the economic operator. If the legal representative is an economic operator, the approval granted by the police authorities to all its legal representatives will be submitted;

14. a self-declaration of the legal representative of the economic operator (if there are several legal representatives, a self-declaration will be submitted for each of them), stating the following:

- the economic operator has not been convicted by means of a final sentence which was not subject to rehabilitation;

- the legal representative is not in a situation of incompatibility, as regulated by law;

- the legal representative is familiar with the specific legislation in force;

15. criminal record certificates or other documents issued by the competent authorities with jurisdiction over the area where the last known domicile/registered office is located, which proves that none of the legal representatives of the economic operator has been convicted, either in Romania or a foreign state, by means of a final sentence which was not subject to rehabilitation, for a crime stipulated by the Emergency Ordinance or for any other crime committed with intent for which a punishment of at least 2 years in prison was enforced;

16. a tax clearance certificate issued by the tax authority responsible for the tax administration of the economic operator, stating that the latter does not have any outstanding debts to the consolidated state budget on the date when they apply for the authorisation as monitoring and reporting operator;

17. the security plan for the computer system, approved via signature by the operator's legal representative, which will include all the technical and organisational measures stipulated in order to ensure compliance with the following requirements: confidentiality and integrity of communications, confidentiality and non-repudiation of transactions, confidentiality and integrity of data, protection of personal data, prevention, detection and monitoring of unauthorised access to the system, restoration of the information managed by the system in the event of any natural disasters and unpredictable events, management and administration of the computer system, as well as any other activities or technical measures taken to ensure the safe operation of the system;

18. security certifications for the software solution or products contained therein, issued by renowned national or international organisations;

19. audit of the security plan and software solutions used in the monitoring activity, carried out by a specialised company, along with a declaration that the auditor is independent from the computer system being audited, certifying that the members of the audit team and their employers have not been involved in any advisory missions related to the system being audited. The declaration will be signed by all members of the audit team and will be signed and stamped by the legal representative of each employer of the audit team members.

**CONDITIONS**  
***for national/international certification laboratories***

1. to have continuously carried out activities relating to the games of chance defined in Article 10(1)(g)-(i) of Government Emergency Ordinance No 77/2009 regarding the organisation and operation of gambling games, approved with amendments and additions by Law No 246/2010, with its subsequent amendments and additions, hereafter referred to as the Emergency Ordinance, in the last 3 years;

2. to have experience in activities relating to the certification of the software used by the organisers of the games of chance defined in Article 10(1)(g)-(i) of the Emergency Ordinance, renowned in the field;

3. no deficiencies have been found in the way in which the software programmes certified by them are used;

4. to be renowned/authorised to carry out gambling software certifications by the competent authorities of a Member State of the European Union.