



RESOLUTION OF 6 OCTOBER 2014, FROM THE DIRECTORATE GENERAL FOR THE REGULATION OF GAMBLING, APPROVING THE REGULATIONS WHICH ESTABLISH THE FORM OF PRELIMINARY CERTIFICATION REPORTS FOR TECHNICAL DRAFTS AND THE FORM OF THE CERTIFICATION REPORT FOR THE INTERNAL CONTROL SYSTEM, SUBMITTED BY APPLICANTS OF GENERAL AND SPECIFIC LICENCES FOR THE OPERATION AND MARKETING OF GAMBLING.

The Gambling Act 13/2011 of 27 May establishes the national and legislative framework for gambling activities in its different forms for the purposes of ensuring the protection of public order, combating fraud, preventing addictive behaviour, protecting the rights of minors and safeguarding the rights of gambling participants.

Royal Decree 1613/2011 of 14 November, establishing the technical requirements of gambling activities, was enacted for the purposes of identifying the technical requirements by which operators are to abide in the organisation, operation and realisation of gambling activities that require licences referred to under title III of the Gambling Act 13/2011 of 27 May.

Article 11 of said Royal Decree, when interpreted in accordance with the Tenth additional provision of the Establishment of the National Markets and Competition Commission Act 3/2013 of 4 June, entrusts the Directorate General for the Regulation of Gambling with establishing the content of preliminary and final certification reports for the technical drafts submitted by interested parties, at the times stipulated in the aforementioned Royal Decree.

On the basis of the experience accumulated since publication of the first version relating to the forms of preliminary reports and the internal control system by means of the Resolution of 16 November 2011 from the Directorate General for



the Regulation of Gambling, the form and content of the version have been revised and updated.

By virtue thereof, and following the favourable report from the Office for Legal Counsel to the State Secretariat for Finance under the aegis of the Ministry of Finance and Public Authorities, the Directorate General, through its conferred powers, hereby decides:

One.

To approve the regulation establishing the forms and minimum content of the preliminary certification reports for technical drafts submitted by interested parties with their applications for general and specific licences, and the form and minimum content of the certification report for the Internal Control Systems of gambling operators, which are described under appendices I, II and III of this Resolution.

Two.

This Resolution shall enter into force on the day following its publication in the Official State Gazette of Spain.

Three.

To repeal the Resolution of 16 November 2011, approving the regulations which establish the form of the preliminary certification reports for technical drafts and the form of the certification report for the internal control system, submitted by applicants of general and specific licences for the operation and marketing of gambling.

Madrid, 6 October 2014. – Director-General for the Regulation of Gambling, Carlos Hernández Rivera.



APPENDIX I

Form of the preliminary certification report on the technical draft for a general licence

1. Purpose

The purpose of this regulation is to describe the form of the report, to be issued by a body that has been appointed by the Directorate General for the Regulation of Gambling for carrying out the certification process, which will analyse, on a preliminary basis, whether the assessed technical draft includes the requirements for complying with the technical specifications, prescribed by gambling regulations, for the granting of general licences.

The assessed document shall be that corresponding to section c) of the technical draft, described in Appendix III of the terms of reference contained in the invitation to apply for general licences.

The preliminary certification report must assess both the functionality and security requirements. The functionality requirements must be assessed by a certification body for game software and the security requirements must be assessed by a certification body for the security of information systems. Should the operator appoint a certification body to perform both the certification of the game software and security, a single preliminary report on functionality and security may be issued. Where the option to submit separate reports is chosen, the preliminary report of functionality shall be based on points 1, 2, 3, 4, 5, 6, 9, 10, 11 and 13 of section c) of the technical draft. The preliminary report on security shall be based on points 1, 2, 3, 4, 5, 7, 8 and 12 of section c) of the technical draft.



Functionality shall be certified on the basis of the content of said section c) of the technical draft with regard to the assessment of requirements established in Section 2 of Appendix I of the Resolution of 6 October 2014, from the Directorate General for the Regulation of Gambling, approving the regulation which elaborates on the technical specifications for gambling, traceability and security that must be met by the non-reserved technical gambling systems licensed under the Gambling Act 13/2011 of 27 May.

Security shall be certified on the basis of the content of said section c) of the technical draft with regard to the assessment of requirements established in Sections 2.1.12 and 4 of Appendix I of the Resolution of 6 October 2014, from the Directorate General for the Regulation of Gambling, approving the regulation which elaborates on the technical specifications for gambling, traceability and security that must be met by the non-reserved technical gambling systems licensed under the Gambling Act 13/2011 of 27 May.

Section c) of the technical draft may be divided according to the different providers to the operator's technical system, therefore, the preliminary report may be prepared, on an independent basis, for each division of this section and even, in this case, be completed by different appointed bodies.

The report may be prepared on the basis of the technical draft proposed by a provider and therefore, the report may be used by several operators, provided that there is no modification to the general outline of the technical solution described in the technical draft.

2. Form and minimum content of the report

The report shall include on every page, except the appendix, a unique report code and, where appropriate, its version, as well as the date of issuance, the business name of the appointed body, the page number and total number of pages.



- Section 1. General details.
 - The title or heading shall include the text "Preliminary certification report".
 - Identification details of the certification report, including a unique code for the report.
 - Identification details of the operator or provider whose technical draft is being certified.
 - Identification details of the software and version, as well as the manufacturer.
 - Identification details of the body appointed to perform the certification.
 - Identification details of the type of certification: functionality, security or functionality and security.
 - Identification details and signature of the person acting on behalf of the certification body.
 - Publication dates of the preliminary report.

- Section 2. Evaluation and conclusions.

An overall evaluation of "compliance" or "non-compliance" shall be issued on whether section c) of the attached technical draft complies with the necessary technical specifications or not. It shall be clearly stated whether the evaluation refers to functionality, security or both.

The appointed body may then list any observations that it deems appropriate.

- Appendix 1. Assessed document.

This shall include a copy of section c) of the technical draft, which must conform to Appendix III of the terms of reference contained in the invitation to apply for general licences.



APPENDIX II

Form of the preliminary certification report on the technical draft for a specific licence

1. Purpose

The purpose of this regulation is to describe the form of the report, to be issued by a body that has been appointed by the Directorate General for the Regulation of Gambling for carrying out the certification process, which will assess, on a preliminary basis, whether the submitted technical draft includes the requirements for complying with the technical specifications, prescribed by gambling regulations, for the granting of specific licences.

The assessed document shall be that corresponding to section c) of the technical draft, described in Appendix II of the terms of reference contained in the invitation to apply for specific licences.

The preliminary certification report must assess both the functionality and security requirements. The functionality requirements must be assessed by a certification body for game software and the security requirements must be assessed by a certification body for the security of information systems. Should the operator appoint a certification body to perform both the certification of the game software and security, a single preliminary report on functionality and security may be issued. Where the option to submit separate reports is chosen, the preliminary report of functionality shall be based on points 1, 2, 3, 4, 5, 6, 7, 8, 11 and 12 of section c) of the technical draft. The preliminary report on security shall be based on points 1, 2, 3, 4, 6, 7, 8, 9 and 10 of section c) of the technical draft.

Functionality shall be certified on the basis of the content of said section c) of the technical draft with regard to the assessment of requirements established in



Section 3 of Appendix I of the Resolution of 6 October 2014, from the Directorate General for the Regulation of Gambling, approving the regulation which elaborates on the technical specifications for gambling, traceability and security that must be met by the non-reserved technical gambling systems licensed under the Gambling Act 13/2011 of 27 May, and the assessment of obligations stipulated in the Ministerial Order approving the basic regulations of the relevant type of gambling.

Security shall be certified on the basis of the content of said section c) of the technical draft with regard to the assessment of requirements established in Section 4 of Appendix I of the Resolution of 6 October 2014, from the Directorate General for the Regulation of Gambling, approving the regulation which elaborates on the technical specifications for gambling, traceability and security that must be met by the non-reserved technical gambling systems licensed under the Gambling Act 13/2011 of 27 May.

Section c) of the technical draft may be divided according to the different providers to the operator's technical system, therefore, the preliminary report may be prepared, on an independent basis, for each division of this section and even, in this case, be completed by different appointed bodies.

The report may be prepared on the basis of the technical draft proposed by a provider and therefore, the report may be used by several operators, provided that there is no modification to the general outline of the technical solution described in the technical draft.

2. Form and minimum content of the report

The report shall include on every page, except the appendix, a unique report code and, where appropriate, its version, as well as the date of issuance, the business name of the appointed body, the page number and total number of pages.



- Section 1. General details.
 - The title or heading shall include the text "Preliminary certification report".
 - Identification details of the certification report, including a unique code for the report.
 - Identification details of the operator or provider whose technical draft is being certified.
 - Identification details of the software and version, as well as the manufacturer.
 - Identification details of the body appointed to perform the certification.
 - Identification details of the type of certification: functionality, security or functionality and security.
 - Identification details and signature of the person acting on behalf of the certification body.
 - Publication dates of the preliminary report.
 - In the case of a certification of functionality: list of gambling activities, forms and versions covered by the scope of the certification The description of gambling shall always include the manufacturer's name for the gambling activity and, if already decided, the brand name that the operator will use. In the case where the basic regulations of the gambling activity limits the number of permitted versions, the version name according to the regulation shall be noted with the name used by the manufacturer.

- Section 2. Evaluation and conclusions.

An overall evaluation of "compliance" or "non-compliance" shall be issued on whether the attached technical draft complies with the necessary technical specifications or not. It shall be clearly stated whether the evaluation refers to functionality, security or both.

For each type of gambling, form and version considered under section 11 of section c) of the technical draft, the preliminary certification of functionality shall include an evaluation on the "compliance" or "non-compliance" of the gambling activity's mechanism for obtaining prizes, which will be formed on the basis of



the description of the rules of the gambling activity in connection with its compliance with the Ministerial Order approving the basic regulations of the particular type of gambling.

The appointed body may then list any observations that it deems appropriate.

- Appendix 1. Assessed document.

This shall include a copy of section c) of the technical draft, which must conform to Appendix II of the terms of reference contained in the invitation to apply for specific licences.

Translated



APPENDIX III

Form and minimum content of the certification report for the Internal Control System of gambling operators

1. Purpose

The purpose of this regulation is to describe the form and content of the certification report, to be issued by the body appointed by the Directorate General for the Regulation of Gambling, which will confirm the compliance, by the Internal Control System linked to the gambling platform of operators, with the specifications stipulated by the applicable regulations and, in particular, with article 8.3.d of Royal Decree 1613/2011 of 14 November, elaborating on the technical requirements of gambling activities under the Gambling Act 13/2011 of 27 May.

The scope of the certification for the Internal Control System linked to the gambling platform covers the following aspects:

- The data capturer, which is the component responsible for capturing the data of the user record and gambling account.
- The secure database of the platform's Internal Control System or storage system of gambling operations (hereinafter, storage system).

The certification report must assess both the functionality and security requirements. The functionality requirements must be assessed by a certification body for game software and the security requirements must be assessed by a certification body for the security of information systems. Should the operator appoint a certification body to perform both the certification of the game software and security, a single report on functionality and security may be issued.



The certification of the internal control system shall contain assessments on the requirements established in the following regulations:

- Section 5.1 of Appendix I of the Resolution of 6 October 2014, from the Directorate General for the Regulation of Gambling, approving the regulation which elaborates on the technical specifications for gambling, traceability and security that must be met by the non-reserved technical gambling systems licensed under the Gambling Act 13/2011 of 27 May.
- Resolution of 6 October 2014, from the Directorate General for the Regulation of Gambling, approving the data model for use in the information monitoring system of gambling operation records.

The report can be carried out on the internal control system solution implemented by a provider and it can therefore be used by different operators, provided that the implemented technical solution has not been modified.

2. Description of analyses to be performed.

The certification tasks to be conducted by the appointed body must, at least, take into consideration the provisions in this section.

Functionality analysis.

Functionality compliance of the operator's internal control system (data capturer and storage system) shall be assessed either on a test environment equivalent to that used in the actual production system or on the basis of a document review regarding the technical specifications identified during the analysis and design stages of the implemented system. The assessment must include the following:

- Connections with the Directorate General for the Regulation of Gambling.
- Data model, including the directory structure of the storage system and the naming of files.
- SCI time source.
- Signature, compression and encryption of SCI data.



- Efficiency of the data capturer and storage system.
- Location of the storage system in Spain.

Security analysis.

Security compliance of the storage system established by the operator shall be assessed either on the platform and the production system for internal control or on a test environment equivalent to that used in the actual production system.

The minimum security requirements of the storage system that must be analysed are the following:

- Security of the SCI.
- Availability of the SCI.
- Plan for preventing information loss in the SCI.
- Continuity of business in the SCI.
- Storage of SCI information.

3. Form and minimum content of the report.

The report shall include on every page a unique report code and, where appropriate, its version, as well as the date of issuance, the business name of the appointed body, the page number and total number of pages.

- Section 1. General details.
 - The title or heading shall include the text "Certification report of the internal control system".
 - Identification details of the certification report, including a unique code for the report.
 - Identification details of the operator or provider whose internal control system is being certified.
 - Identification details of the software and version, as well as the manufacturer.
 - Identification details of the body appointed to perform the certification.



- Identification details of the type of certification: functionality, security or functionality and security.
- Identification details and signature of the person acting on behalf of the certification body.
- Publication dates of the report.

- Section 2. Functional description.

The report shall include a detailed functional description of the processes established for capturing and recording gambling operations in the secure database.

- Section 3. Evaluation of requirements.

The report must note the compliance of the technical requirements listed below:

Functionality.

- Connections with the Directorate General for the Regulation of Gambling.
- Data model, including the directory structure of the storage system and the naming of files.
- SCI time source.
- Signature, compression and encryption of SCI data.
- Efficiency of the data capturer and storage system.
- Location of the storage system in Spain.

Security.

- Security of the SCI.
- Availability of the SCI.
- Plan for preventing information loss in the SCI.
- Continuity of business in the SCI.
- Storage of SCI information.



- Section 4. Evaluation and conclusions.

An overall evaluation of "compliance" or "non-compliance" shall be issued on whether the internal control system complies with the necessary technical specifications or not. It shall be clearly stated whether the evaluation refers to functionality, security or both.

The appointed body may then list any observations that it deems appropriate.

- Appendix 1. Software covered by certification.

The certification report shall be accompanied by a copy of the software, covered by the certification, which is digitally signed by the bodies appointed for such purpose.

Translated