



MINISTRY
OF FINANCE

SECRETARY OF STATE FOR
FINANCE

DIRECTORATE-GENERAL FOR THE
REGULATION OF GAMBLING

RESOLUTION OF 31 OCTOBER 2018 FROM THE DIRECTORATE-GENERAL FOR THE REGULATION OF GAMBLING ON THE MODIFICATION OF CERTAIN RESOLUTIONS ABOUT THE GAMBLING ACTIVITIES SET OUT IN LAW 13/2011 OF 27 MAY ON GAMBLING REGULATION

Law 13/2011 of 27 May on gambling regulation sets the regulatory framework for gambling activities at a national level 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, elaborating on the technical requirements of regulated gambling activities under Law 13/2011 of 27 May on gambling regulation, in its articles 26 and 27, establishes the identification of the participants as well as the enforcement of subjective gambling exclusions and money laundering.

Specifically, article 26.5 provides that the Directorate-General for the Regulation of Gambling “shall set out the additional requirements and conditions which should combine user records and gambling accounts and the protection measures which must be met by the operators”.

In development of these provisions, the Resolution of 12 July 2012 issued by the Directorate-General for the Regulation of Gambling was issued to approve the provision to implement articles 26 and 27 of Royal Decree 1613/2011 of 14 November with regard to identifying gambling participants and monitoring subjective gambling exclusions.

Five years after the enactment of the aforementioned regulatory framework, the experience acquired during this time makes it appropriate to strengthen the identity verification processes carried out by the gambling operators on the information provided by the participants through modification of the aforementioned Resolution of 12 July 2012.

Under this identity verification processes improvement scenario, it is also appropriate to adapt the content of the Resolution issued on 6 October 2014 to approve the data model used in the information monitoring system of gambling operation registries, so that said system operates more efficiently.

Furthermore, the modification of this Resolution is used to include new parameters in the classification of gambler statuses in the gambling data records which reinforce the information available on responsible gambling practices carried out by regulated operators. In addition, the modification of this Resolution also affects the content of the operator's Catalogue of Events record as new data is entered in this field which will be subject to reporting and equally adding a daily frequency to the reporting. Finally, it also includes information on the origin IP of the transactions and about the value of the stake of the bet to prevent certain forms of fraud.

Finally, this Resolution modifies the Resolution of 6 October 2014, approving the provision establishing the technical specifications for gambling, traceability and security to be met by the technical systems of non-reserved games licensed under Law 13/2011, of 27 May, on gambling regulation. The purpose of the modifications to this Resolution are to update the certification requirements of random number generators, requiring them to be cryptographically strong.

This provision has been submitted to the information procedure on technical and regulatory standards and regulations relating to the services of the information society provided for in Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015, by which an information procedure is established in terms of technical regulations and rules relating to the services of the information society.

By virtue thereof, and following the favourable report from the State Advocacy of the State Secretariat for Finance under the aegis of the Ministry for Finance, this Directorate-General decides:

Firstly. To modify the Resolution issued on 12 July 2012 to approve the provision to implement articles 26 and 27 of Royal Decree 1613/2011 of 14 November with regard to identifying gambling participants and monitoring subjective gambling exclusions as follows:

1. The Fifth section of Appendix I is reworded as follows:

“Fifth. Checking of identity information and the verification of information provided by the participants.

1. The operator is responsible for the veracity of the data that appears in its user registrations and for the correct identification of the participants in any gambling that it organises or promotes.

2. Where the applicant can provide their national identity document number (DNI) or their foreigners' identification number (NIE) in their registration process, the operators must:

a) Check the identity data which appears in their user records, through the participants Identity Verification System of the Directorate-General for the Regulation of Gambling or through other systems or alternative verification means.

b) Verify the data provided by the participant through documentary evidence.

3. In those cases, during their registration process, where the applicant is identified as a non-Spanish resident and does not provide a national identity document (DNI) number or foreigners' identification number (NIE), the verification and checking of the data, to be done through the document verification system considered appropriate, will be done by the operator within a month of the registration process having been completed.

4. The operator will choose the appropriate means to prevent resident users registering as non-resident.”

2. The Sixth section of Appendix I is reworded as follows:

“Sixth. Systems for verifying the identity of participants.

1. In order to facilitate operators in the checking of participants' identity data, the Directorate-General for the Regulation of Gambling will make their participant Identity Verification System available to them, which will allow, through electronic access by operators, real-time verification of applicants' data where they use their national identity document (DNI) or foreigners' identification number (NIE) for their identification.

The participants' Identity Verification System of the Directorate-General for Gambling is the only system whose result is presumed correct and which, in the event of an error, absolves the operator of liability.

In the event of the participants' Identity Verification System of the Directorate-General for the Regulation of Gambling failing to work correctly, the verification of the data will be guaranteed within three days of the request from the operator.

2. The participants' Identity Verification System of the Directorate-General for Gambling does not prevent the operator using alternative systems or methods of verification.”

3. The Eighth section of Appendix I will be reworded as follows:

“Eighth. *Document verification and other additional controls.*

1. Regardless of the means used, the operators are those responsible for demanding and validating the documentation necessary to verify that the identity of the gambling participant matches the identity data verified through any of the identity verification systems set out in the sixth section of this Appendix.

2. For the receipt and verification of the documentation required for the documentary verification of the data, the operators will have the means they consider appropriate and which guarantee the security and speed of the process. The Directorate General for the Regulation of Gambling may determine which specific methods guarantee the validity of the entire document verification process.

3. Operators must record and store all steps, queries and requests made for the document verification of the data provided by applicants, as well as those documents received or used for this purpose. The data must be stored together with user registration data for the period of the user's registration pursuant to current regulations.

4. Notwithstanding the process established in the twelfth section of this Appendix, operators will establish additional controls to prevent or avoid fraudulent conduct related to the identity of participants. These controls will be part of the general fraud detection and processing procedures established by the operator and shall be subject to periodic review.

For these purposes, the Directorate-General for the Regulation of Gambling may specifically develop the controls to be established by the gambling operators.”

4. The twelfth section of Appendix I is reworded as follows:

“Twelfth. *Activation of the user record.*

1. The activation of user records, where the applicant is a resident of Spain or has provided a national identity document number (DNI) or a foreigners' identification number (NIE), requires the prior verification of such data pursuant to the provisions of paragraph 2 of the Fifth section of this Resolution and a check in the General Register of Gambling Access Bans to ensure the user does not appear in said register.

The operator will proceed as follows:

- a) Users whose identity has not been validated in the participants' Identity Verification System of the DGOJ or in another identity verification service may not take part in any gambling activity or make deposits or withdrawals.
- b) Users correctly identified through any identity verification system and awaiting documentary verification may deposit up to a joint limit of 150 euros and participate in gambling activities but may not make withdrawals irrespective of their amount or nature. The status of these users will be considered as 'pending document identification'.

- c) Users correctly identified through documentary verification may make deposits, withdrawals and participate in gambling activities. The status of these users will be considered as 'active'.

2. The activation of user records, where the applicant is not resident in Spain and does not provide a national identity document number (DNI) or a foreigners' identification number (NIE), requires the prior verification of such data pursuant to the provisions of paragraph 3 of the Fifth section of this Resolution.

The operator will proceed as follows:

- a) Users who have completed the registration process but are pending document verification cannot gamble or make deposits or withdrawals.
- b) Users correctly identified through the document verification system may make deposits, withdrawals and participate in gambling activities. The status of these users' accounts will be considered as 'active'.

Secondly. To Modify the Resolution of 6 October 2014, approving the data model for use in the information monitoring system of gambling operation registers, as follows:

1. In section 2 ("Definitions") the section "Activation of the user record" is modified, and worded as follows:

"Activation of the User Record

The activation of the user's record is the process whereby the operator enables the user to participate in gambling whenever the verifications stipulated in the gambling regulations have been carried out."

2. Section 3.3 ("Frequency") is worded as follows:

"3.3 Frequency

The frequency for reporting information in each type of record is noted in the following table:

Tipo de Registro		Registro de Usuario	Reg. Usuarios Ganadores S/Reg.Previo Reg. Usuarios Red	Cuenta Jugador	Cuenta de operador	Cuenta de botes y Partidas Vivas	Registro de Juego	Ajuste de Apuestas	Catálogo de Eventos
Periodicidad	Intervalo en func. del tipo de juego	-	-	-	-	-	✓	-	-
	Diaria	✓	-	✓	-	-	-	-	✓
	Mensual	✓	✓	✓	✓	✓	-	✓	✓

Sending daily records to the storage system must be carried out by 4 am of the day subsequent to which the information refers.

Sending monthly records to the storage system must be carried out by 11:59 pm of the first day of the following month."

3. In section 3.4.1, ("Detailed User Record (RUD)", in the section "Content of the record", the heading "Identity verification data" is worded as follows:

- “○ Confirmation from the Identity Verification System (SVDI). “Yes” shall be stated where the DGOJ's Identity Verification System was used and positive verification obtained, otherwise “No” shall be stated.
- Date on which the user's identity was positively confirmed for the first time through the SVDI.
- Document validation. “Yes” shall be stated where the user's documents were verified and said verification is positive, otherwise “No” shall be stated.

Date on which the user's identity was positively confirmed for the first time through document verification”

4. In section 3.4.5, (“Detailed Gambling Account (CJD)”), in the section headed “Record Content”, the sections describing the “Participant's deposits” and the “Participant's withdrawals” are worded as follows:

“● (+/-) Deposits by the participant, broken down by date and payment method, in accordance with the classification of payment method types established in the “Payment Method Types” section of this Resolution.

Amounts deposited by participants shall have a plus sign whereas the minus sign shall be used for any cancellations or adjustments made.

For each deposit operation made by the gambler, it will also include:

- IP: IP address of the gambler's device from which they connect to the gambling platform, whether it be IPv4 or IPv6.
- Type of device: from which the connection is made (Mobile, PC, Tablet, Fixed terminal or Other)
- Device ID: Identifier of the device from which the connection is made”.

“● (+/-) Withdrawals by the participant, broken down by date and payment method, in accordance with the classification of payment method types established in the “Payment Method Types” section of this Resolution.

Amounts withdrawn by participants from their gambling account shall have a minus sign whereas the plus sign shall be used for any cancellations or adjustments made.

For each withdrawal operation made by the gambler, it will also include:

- IP: IP address of the gambler's device from which they connect to the gambling platform, whether it be IPv4 or IPv6.
- Type of device: from which the connection is made (Mobile, PC, Tablet, Fixed terminal or Other)
- Device ID: Identifier of the device from which the connection is made”.

5. Section 3.4.10 [“Gambling records (JUT, JUD)”], the heading “Generic data common to all types of gambling” is worded as follows:

“Generic data common to all types of gambling

The information to be transmitted is the following (with the inclusion of the most likely symbol):

- Gambling identifier: bet, game, hand, tournament, contest, session.
- Gambling description
- Type of gambling
- Start time/date (bet, game, hand, tournament, contest, session)
- End time/date (bet, game, hand, tournament, contest, session)
- Network gambling: yes/no
- Postponed gambling: yes/no (not to be completed in the case of gambling by session)
- Cancelled gambling: yes/no (not to be completed in the case of gambling by session)
- Suspended gambling: yes/no (not to be completed in the case of gambling by session)
- Total
- Breakdown at a gambler level
 - IP: IP address of the gambler's device from which they connect to the gambling platform, whether it be IPv4 or IPv6.
 - Type of device: from which the connection is made (Mobile, PC, Tablet, Fixed terminal or Other)
 - Device ID: Identifier of the device from which the connection is made

In the event of gambling with international settlement, the operator will only report the details of gamblers pertaining to the “.es” domain.”

6. Section 3.4.10 ["Gambling records (JUT, JUD)"], under the heading "Data specific to particular types of gambling", a new point is added to the end of the paragraph marked "Bets":

- Stake: Value of the bet's stake (as a decimal) at the time it is accepted by the gambler

7. Section “3.4.12 Catalogue of Events (CEV)” is worded as follows:

“Information in the catalogue of events

Standardised data on the events making up the betting offers of the operator. It will include all new events or updates about previously reported events on which the operator has laid bets in the period, regardless of whether these events have ended or not.

Operators under obligation

The operators laying bets.

Frequency

- Daily. The information on the events that are new or have been modified on the day will be included on a daily basis.
- Monthly. The information on all the events reported during the month, both the registrations and modifications, will be included on a monthly basis. If there are several modifications in the month for the same event, the information on the last update is that which will be reported.

Catalogue data

The catalogue shall contain the following data:

- Event identifier
- Event description
- Type of event. Sporting, horse-racing or other bets.
- Sport: the sport shall be identified according to the official classification on the DGOJ website which contains the standardised list of sports used by operators in their betting schedules. Example: “6” for baseball or “9” for boxing.
- Competition: The bets will identify the competition. This field is obligatory where the event pertains to a sporting competition.
- Start date of the event
- End date of the event, or approximate date if unknown at the time of reporting.
- Updated. Boolean field which reports if the event is new ('N') or an update of an event reported in the CEV of the previous month ('S')

Main controls

All events recorded in the bets by means of an event identifier must be contained within the relevant catalogue. There should be no duplicate events; if a duplicate is reported it is understood that it is an update of the data of a previous event and therefore it must be marked with the Updated='S' field or it will be considered wrong.”

8. In Section 3.5.1.1 ("ORT Record: Detailed user record", the entries in the table relating to gambler verification (VSVDI, FVSVDI, VDocumental and FVDocumental) are worded as follows:

VSVDI	Verification of the SVDI. S (Yes) shall be stated where the DGOJ's Identity Verification System was used and positive verification obtained, otherwise N (No) shall be stated.
FVSVDI	Date of the first positive verification in the SVDI.
VDocument	Document verification. The value S (Yes) shall be used where the user's documents have been positively verified, otherwise N (No) shall be noted.
FVDocumental	Date of the first positive verification of documents.

9. In section 3.5.2.1 “CJD record: detailed gambling account”, the sections of the table relating to “Deposits” and “Withdrawals” are worded as follows:

Deposits	This shall contain the total amount deposited in euros during the period as well as every deposit made with a record of the deposit date, the code for the type of payment method used (based on the payment method list included in the "Payment method types" section), the payment method provider, the amount, the IP from which the operation was made, the device type and its identifier.
----------	--

Withdrawals	<p>This shall contain the total amount withdrawn in euros during the period as well as every withdrawal made indicating the transaction date, the code for the type of payment method used (based on the payment methods list included in the “Payment method types” section), the payment method provider, the amount, the IP from which the operation was performed, the device type and its identifier.</p>

10. In section 3.5.4.1 (“Generic data common to all types of gambling (JUT and JUD)”), the heading “Gambling data broken down (JUD)” is replaced by the following:

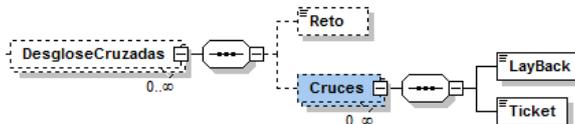
“Gambling data broken down (JUD)”

Identifier of the gambling activity	<p>Unique identifier of the specific event creating the obligation to report to the SCI. The specific event depends on the type of gambling:</p> <ul style="list-style-type: none"> • Bets: every combination of events and circumstances on which the player places a bet. • Poker cash and baccarat: every hand • Poker tournament: every tournament • Bingo: every bingo game • Contests: every contest • Roulette, blackjack, additional games and online slot machines: every session
End time/date	<p>Time and date when the specific event creating the obligation to report to the SCI ended. This Date must correspond to the same End Date/Time reported in the JUT file for the same Gambling ID.</p>
Breakdown regarding player	<ul style="list-style-type: none"> • (-) Wagers • (+) Prizes

	<ul style="list-style-type: none"> • (+) Prizes in kind, monetary value • Breakdown of the prizes in kind: description and value of the prize (+) • IP • Device (PC; MO (Mobile); TB (Tablet); TF (Fixed terminal); OT (Others)) • Device ID
--	---

11. In section 3.5.4.2 ("Data specific to bets") the heading "The breakdown by player takes into consideration" is worded as follows:

“The breakdown by player takes into consideration

TicketID	Ticket obtained by the participant upon the close of bets.
Time and Date of the bet	Time and date when the player placed the bet
List of exchange bets	<p>It must be noted whether it is a challenge or not. It is considered that there is a challenge when the person placing the bet knows the person against whom they are betting A list of tickets associated with each exchange shall also be included:</p> 
Tax charge	Value of the bet's stake at the time it is accepted by the gambler

12. Section 3.5.6 (“Record of Catalogue of events”) will include the following text in the last line of the table:

Updated	Y/N The field is optional and if it is not reported that means that the event is new. If it is an update to a previously reported event, the field is obligatory and must be reported with an 'S'.
---------	---

13. Section 3.5.7.2 (“Gambler status”) is replaced by:

“3.5.7.2 Gambler status

The “status” of the gambler comprises two fields:

CNJStatus under which the operator is requested to differentiate between:

- A: Active. Reflects the status of a gambler duly identified and verified through documents.

- PV: Pending document verification. Reflects the status of a resident gambler whose identity has not been verified reliably through a document verification system.
- S: Suspended. This is the status of the gambler who the operator has decided to suspend after 2 years of uninterrupted inactivity.
- C: Cancelled. This is the status of the gambler who has been cancelled after 4 years of suspension.
- SC: Precautionary suspension. This is the status of the gambler with a precautionary suspension from the operator for suspected collusion or fraudulent behaviour or for having allowed third parties to use the user record.
- AC: Contract cancellation. This is the status of the gambler who, after having been suspended on a precautionary basis, the operator has considered it proven that the participant had taken part in fraud, collusion or allowed third parties to use the account, and the operator has decided to unilaterally terminate the contract.
- PR: Individual prohibition. This is the status of the gambler subject to any of the individual prohibitions stipulated in article 6 of Gambling Act 13/2011 (minors, registered in the RGIAJ, connected parties, etc.)
- AE: Self-excluded. This is the status of the gambler who has voluntarily excluded themselves from the gambling offered by the operator.
- O: Others. Other situations in which a gambler may be found and not included in any of those before.

OperatorStatus, under which the operator enters the name of the status as given on its platform.”

14. In section 4.2 ("Directory structure"), heading "Levels 3, 4, 5 and 6", the paragraph "JU: Gambling" is modified and written as follows:

“JU: Gambling

- <YYYYMMDD>: Current day
 - JUT: Gambling (totals).
 - Sub-folder for each type of gambling (according to the list under "Type of Gambling")
 - JUD: Gambling (by player)
 - Sub-folder for each type of gambling (according to the list under "Type of Gambling")
- Previous
- Monthly
 - JUA: Bet Adjustments
 - CEV: Catalogue of Events (monthly)
- Daily lottery
 - CEV: Catalogue of Events (daily)

15. In section 4.3 ("Packaging of the gambling data") the second paragraph is modified and worded as follows:

“Level 4 for Gambling shall have a folder for the monthly files, another for the daily frequency, a folder for the current day and another folder for previous days:

- Monthly: For depositing the files containing the bet adjustments (JUA) and the catalogue of events (CEV), on a monthly basis
- Daily: For depositing the daily catalogue of events (CEV) files
- YYYYMMDD: For the current day. The Gambling records (JUT and JUD) are created in real-time. The current day shall contain all individually created batches/files.
- Previous: For the preceding days”

16. Section 4.4.5 (“JUA: Bet Adjustments and CEV: Catalogue of Events”) is reworded as follows:

“The naming structure is:

<OperatorID>_<StorageID>_<Type>_<Sub-type>_<Frequency>_<Date>_<BatchID>.zip

Values:

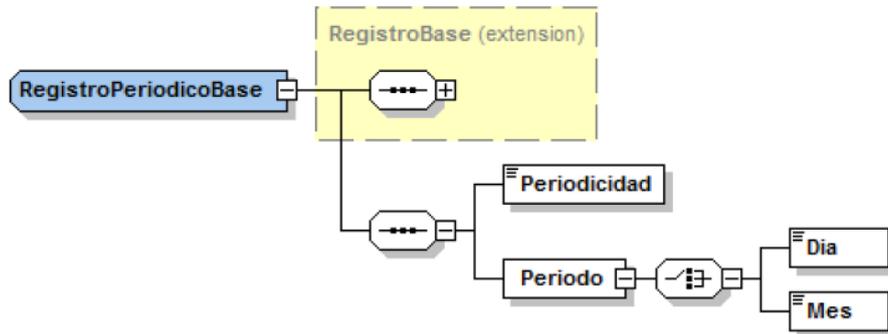
- <OperatorID> is the operator's identifier.
- <StorageID> is the identifier of the Storage System.
- <Type> will be JU.
- <Sub-type> can be: JUA or CEV.
- <Frequency> can be: D (daily) or M (monthly).
- <Date> is the date to which the data relates (not the date of transmission to the Storage System). For daily information the format will be YYYYMMDD whereas monthly information will be YYYYMM.
- <BatchID> is the identifier of the batch”

17. Section 4.5.6 (“Periodic records”) is worded as follows:

“4.5.6 Periodic records

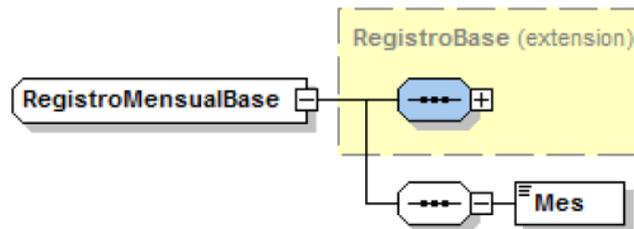
Records with periodic information are based on two types derived from the RecordBase. They contain additional fields allowing for the description of the frequency with which data is recorded. They are new abstract record types, thus they cannot be immediately submitted.

- If the record is subject to monthly and daily recording (RUD, RUT, CJD, CJT and CEV), the RecordPeriodicBase shall be used.



Frequency	Daily or Monthly
Day / Month	YYYYMMDD / YYYYMM

- If the record can only be recorded on a monthly basis (OPT, ORT, BOT, RUR, RUG and JUA), the RecordMonthlyBase shall be used.

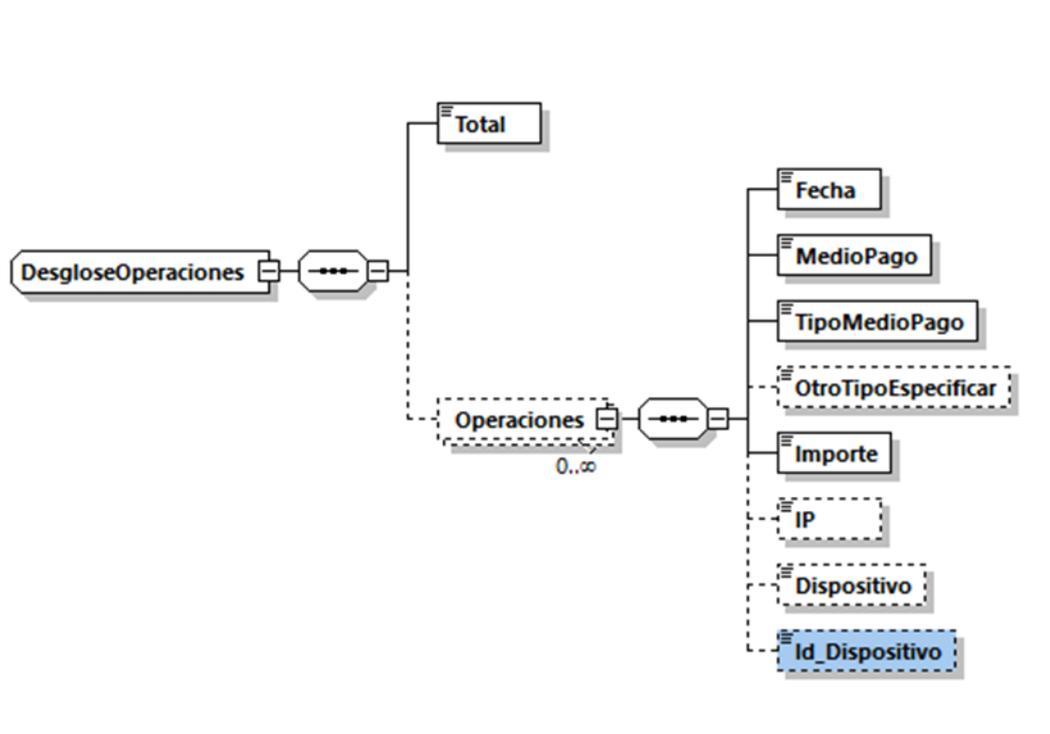


Month	YYYYMM
-------	--------

18. In section 4.5.11 (“Repeated breakdowns”), the part “BreakdownOperations” is worded as follows:

“BreakdownOperations

Total amount and breakdown of each payment or collection transaction.



Thirdly. Modify the Resolution of 6 October 2014, approving the regulation developing the technical specifications for gambling, traceability and security that must be met by the non-reserved technical gambling systems licensed under the Law 13/2011 of 27 May on gambling regulation in the following terms.

1. Section 3.5.1 Functioning of the GNA is reworded as follows:

“3.5.1 Functioning of the GNA. At a minimum, the random number generator must comply with the following requirements:

- The generated randomised data must be statistically independent.
- The randomised data must be distributed evenly within the established range.
- The randomised data must remain within the established range.
- The generated randomised data must be unpredictable (its prediction must not be computable without knowing the algorithm and the seed).
- The series of generated data must not be reproducible.
- The random number generator is to be cryptographically strong.
- It must not be possible to synchronise different applications of the GNA which would allow the output of one to predict the output of the other.
- The seeding/reseeding techniques must not allow any prediction of the output.
- The mechanisms for generation must have successfully passed the different statistical tests that prove its random nature. The technical system may share a GNA or its application for one or more games provided that the random behaviour of the system is not compromised”.

First transitional provision. Gamblers registered prior to the Resolution's entry into force.

1. Gamblers resident in Spain or who have provided their national identity document number (DNI) or foreigners' identification number (NIE) and who were already registered in the gambling system, but whose identity data has not been verified through documents prior to the entry into force of this Resolution will move to the "Pending document verification" status (PV).

For nine months after the entry into force of this Resolution, these gamblers may deposit, participate in and withdraw prizes obtained from gambling without prejudice to the obligations to prevent laundering and terrorist financing pursuant to current regulations.

After the nine-month transition period, the gamblers whose identity has not been verified through documents,

- a) If the total amount of deposits from the start of the transition period is less than 150 euros, they may deposit up to the limit of 150 euros and participate in gambling, but they will not be able to withdraw the prizes obtained, irrespective of their amount and nature, until they have been verified through documents.
- b) If the total amount of deposits from the start of the transition period is greater than 150 euros, they can participate in gambling, but they will not be able to make deposits nor withdraw the prizes obtained, irrespective of their amount and nature, until they have been verified through documents.

2. Gamblers who are not resident in Spain and have not provided their national identity document number (DNI) or foreigner's identification number (NIE) who were already registered in the gambling system, but whose identity data has not been verified through documents prior to the entry into force of this Resolution shall move to the "Other" status (O) and be subject to document verification. From that time, these gamblers will not be able to make new deposits or withdraw the prizes obtained irrespective of their amount and nature.

Second transitional provision. Random number generators approved prior to the Resolution's entry into force.

The changes that must be made to random number generation systems to make them cryptographically strong are considered a substantial change in the technical gambling Systems, so they will need the prior authorisation of the Directorate-General for the Regulation of Gambling after submission of the corresponding certification report within a period of nine months after the entry into force of this Resolution.

Single final provision. Entry into force.

This Resolution will enter into force on 30 March 2019.

Madrid, 31 October 2018. – Director-General for the Regulation of Gambling, Juan Espinosa García.