



Resolution issued by the Directorate General for the Regulation of Gambling on 16 November, 2011, to establish the test for responsible gaming and the prevention of addictive behaviour, in accordance with article 36 of Royal Decree 1614/2011 of 14 November, which develops Law 13/2011 of 27 May, on the regulation of gaming, regarding matters related to licences, authorisations and gambling registers.

Law 13/2011, of 27 May, on the regulation of gaming, establishes the regulatory framework for gaming activities in their different forms. The Law is developed at State level to guarantee the protection of public order, as well as fight against fraud, prevent addictive behaviour, protect the rights of minors and safeguard the rights of whoever participates in the games.

Article 8 of the previously mentioned Law establishes that responsible gaming policies imply that gaming activities shall be approached from a comprehensive corporate social responsibility policy which considers gambling as a complex phenomenon in which it is necessary to combine awareness with preventive, intervening and control actions, as well as repair any negative effects that may be caused.

In exercising said preventive actions and pursuant to Article 36.1 of Royal Decree 1614/2011, of 14 November, which develops Law 13/2011, of 27 May, on the regulation of gaming, regarding matters related to licences, authorisations and gambling registers, gaming operators shall establish financial limits for the deposits each participant may receive daily, weekly or monthly in the different games. These limits may not be of sums higher than those stipulated in Appendix II of the previously mentioned Royal Decree.

However, and pursuant to Article 36.3 of the Royal Decree mentioned in the previous paragraph, each participant may expressly and individually request gaming operators to increase the deposits or remove any limit that has been established for the participant's deposit account, for an amount that is higher than those referred to in the previous paragraph. Said petitions may be dealt with by the operators by complying with certain requirements.

Therefore, and in accordance with what is stipulated under letter a), Article 36.3 of Royal Decree 1614/2011, of 14 November, which develops Law 13/2011, of 27 May, on the regulation of gaming, regarding matters related to licences, authorisations and gambling registers, if it is the first time a request has been made to extend the limits or remove a participant's limit, the participant shall be required to pass the test for addictive gambling behaviour and responsible gaming that, for this purpose, the National Gaming Commission has established.

Likewise, and in accordance with what is stipulated under letter b), Article 36.3 of Royal Decree 1614/2011, of 14 November, which develops Law 13/2011, of 27 May, on the regulation of gaming, regarding matters related to licences, authorisations and gambling registers, the second, and subsequent times the same participant requests to extend the limit, the National Gaming Commission



shall establish the aspects that will form the basis to be used by the gaming operator to carry out the historical analysis of the participant's gaming background.

Even though the National Gaming Commission has not been effectively established, and on applying the temporary Provision one of Law 13/2011, of 27 May, on the regulation of gaming, it corresponds to the General Directorate for the Regulation of Gambling of the Ministry of Economy and Finance to approve the tests for responsible gaming and the prevention of addictive gambling behaviour.

In conclusion, the Resolution herein complies with what is stipulated under letters a) and b), Article 36.3 of Royal Decree 1614/2011, of 14 November, which develops Law 13/2011, of 27 May, on the regulation of gaming, regarding matters related to licences, authorisations and gambling registers, thus approving the test for responsible gaming and the prevention of addictive gambling behaviour and the decision on the fundamental aspects for carrying out the historical analysis of the participant's gaming background which, if necessary, shall be carried out by the gaming operators.

By virtue thereof, and upon receiving a positive report from the State Attorney's Office in the Secretary of State for Finance and Budgets of the Ministry of Economy and Finance,

It is agreed

One. To approve the test for responsible gaming and the prevention of addictive gambling behaviour which is attached to this resolution as Appendix I.

Two. When a participant requests any limits to their deposits be removed or requests the limits to be extended for the first time, the gaming operators shall allow the participant to complete the test for responsible gaming and the prevention of addictive behaviour referred to above.

Three. If an affirmative answer is given to any of the questions of the test approved by the resolution herein, the gaming operator will be unable to increase the deposits or remove the limit established for the stakeholder's deposit account Likewise, the latter will be unable to make another request for an increase or ask for the referred limits to be removed until seven days after the said test has been completed.

Four. If all the answers to the questions to the test are negative, the new limits or their removal will enter into force seven days after completing the test approved by this resolution.

Five. When the same participant has made two or more requests to extend the limit, the gaming operator shall perform a historical analysis of the participant's



gaming background. The new limits shall enter into force three days after the analysis has been positively resolved.

For these purposes, the National Gaming Commission shall explain the procedure for performing the historical analysis to the operators, giving instructions for weighting each one of the factors included. These factors will at least include the frequency and length of the connections and the rate and interval of the deposits.

The National Gaming Commission may request to include or modify one or several factors related to the procedure and its weighting, in the event they are insufficient to evaluate the participant's gaming background adequately.

Six. The resolution herein shall enter into force on the day it is published in the Official State Gazette.

Pursuant to Article 23 of Law 13/2011, of 27 May, on the regulation of gaming, an administrative appeal may be filed against the resolution herein, which puts an end to the administrative route, within one month after the day after it is published in accordance with the provisions of Law 30/1992, of 26 November, on the Legal System for Public Administrations and Common Administrative Procedure, or an appeal directly filed before the court of administrative disputes, pursuant to the Law regulating said administrative disputes.

Madrid, 16 November 2011.- The Director General for the Regulation of Gambling, Inmaculada Vela Sastre.



## Appendix I

### Test for responsible gaming and the prevention of addictive gaming behaviour

1. Do you often think about past gaming or gambling experiences, planning the next time you will play and/or do find yourself working out how to obtain money to spend on gambling?
  - Yes
  - No
2. Have you ever spent more money on gaming and gambling than you had initially planned?
  - Yes
  - No
3. Do you ever try to control, interrupt or stop the game?
  - Yes
  - No
4. Does trying to interrupt or stop the game make you feel restless or irritable?
  - Yes
  - No
5. Do you play to evade problems?
  - Yes
  - No
6. When you play for money, do you ever play again so you can recover the money you have lost?
  - Yes
  - No
7. Do you think you have a gambling problem?
  - Yes
  - No
8. Do you use money obtained from your family, loans, falsification, fraud or theft to finance your gambling activities?
  - Yes
  - No
9. Has gambling ever made you miss work or class?
  - Yes
  - No
10. Have you ever asked anyone to help you out with the financial problems gambling has caused you?
  - Yes
  - No