



Draft order regulating the use of bank debit cards in gambling establishments.

Given the dynamism of modern society and the constant evolution of payment methods, there is a need to adapt regulation of the gambling industry, thereby making it possible to reduce the handling of large amounts of cash. In this sense, payment via electronic systems can be a key element contributing to optimisation of the financial system, facilitating fast, secure and accessible transactions from any location. This transformation is essential to ensuring a safer and more transparent environment, aligned with current technological developments and needs.

Given that Law 4/2022 of 24 June 2022 on the Regulation of Gambling in Cantabria, adopted in exercise of the exclusive powers conferred on the Autonomous Community under Article 24(25) of the Statute of Autonomy for Cantabria, paves the way for further regulatory development, this draft aims to continue that process, establishing a balanced regulation that strikes the necessary balance between upholding the principle of free economic initiative and preventing the negative effects thereof on public order, public health and public safety, as well as preventing fraud.

It recognises that gambling is a legitimate social activity, insofar as it constitutes an expression of the principle of individual freedom enshrined in the Spanish Constitution of 1978, which has, over the years, established itself as one more sector within the economy, that is characterised by its dynamism and evolution and has been particularly affected by recent technological advances.

In this sense, gambling activities have intrinsic characteristics that make it necessary for the Administration to regulate them; the latter should establish mechanisms providing security for gambling users, guaranteeing the protection of minors and those who need it for health reasons and ensuring public order and the regular development of gambling.

In addition, it is important to note that these payment systems have a positive impact in terms of improving the security of gambling establishments and the traceability of the transactions performed, thus contributing to reducing fraud and money laundering.

In view of the foregoing, having regard to the reports issued by the Gambling and Public Entertainment Service, as well as by the Legal Counsel of the Ministry of the Presidency, Justice, Security and Administrative Simplification and by the General Inspectorate of Services, and in accordance with the powers conferred on it by Law 5/2018 of 22 November 2018 on the Legal Regime of the Government, Administration and Institutional Public Sector of the Autonomous Community of Cantabria,

I HEREBY ORDER

Article 1.- Purpose and scope of application.

The purpose of this order is to regulate the use of bank debit cards or other similar devices integrated into machines designed to manage tickets, give change and pay out prizes; their use in Type B gambling machines in gambling establishments in Cantabria; and their use in Type C machines in casinos.

Article 2.- Electronic devices.

Electronic devices used to read cards or other similar means of payment must be integrated into machines designed to manage tickets, give change and pay out prizes.

These are ticketing management systems that enable players to insert credits into a gambling machine by means of tickets, in addition to the existing cash method. Tickets are issued in the form of vouchers or tokens that are validated at gambling machines within the premises, or at terminals or cash machines equipped with validation units and ticket printing systems (POS-TITO system or similar).

The unmanned point-of-sale terminal shall issue tickets for the amount requested by the user, debiting the corresponding amount from their debit card, subject to the limit set out in Article 5.

The ticket issued may be used in any machine equipped with the ticket system, where it may be exchanged for vouchers or another ticket, provided that the machine is connected to the ticket-issuing system (POS-TITO system or similar) at the same premises.

Printed tickets shall be valid only at the gambling venue at which they were issued. If a customer wishes to stop playing or leave the premises, they may exchange the balance on their tickets for cash or have it credited to their debit card at the cashier's desk or exchange counter.

Article 3.- Gambling establishments.



For the purposes of this order, 'gambling establishment' means casinos, bingo halls, amusement arcades and betting venues; gambling shall be prohibited in locations other than these, such as catering, cultural, leisure, entertainment, amusement, recreation and other similar establishments.

Article 4.- Access control

1.- The electronic device for purchasing cards or tickets may only be installed in gambling establishments with prior entry controls, to ensure that no minors or individuals on the gambling exclusion list are granted access.

2.- The electronic device for purchasing cards or tickets must be located inside the gambling establishments referred to in the previous article, beyond the entry control system and in such a way that it is visible to the staff of the establishment.

Article 5.- Limits on use

1.- The electronic device shall only accept transactions made using personal debit cards, by the holder thereof.

Under no circumstances may credit or dual-purpose cards or devices be used.

2.- The card or ticket purchased using a debit card or similar device, which may be loaded with a maximum amount of EUR 300 and entitles the holder to play, shall also have a daily spending limit of EUR 300, and may only be used at the gambling venue or establishment at which it was issued; it shall not be valid at any other venues or establishments.

The daily limit for purchasing or topping up this card or ticket applies between 00:00 and 23:59 on the same day.

3.- The bank statement relating to this transaction must clearly state the name of the gambling establishment or venue, and the description must indicate that the transaction relates to the purchase of a gambling card or ticket.

In any event, the purchase must be authorised by the cardholder by entering their personal identification number, or via an equivalent bank security system, and the

system must always provide the consumer with proof of the transaction on a receipt, or this may be included on the ticket or medium purchased.

Article 6.- Requirements for the electronic device.

1. The electronic device used to read bank cards or other similar devices must be integrated into the machines designed to give change, pay out prizes and manage tickets.
2. The electronic device for purchasing gambling cards or tickets must meet the requirements established for means of payment in accordance with the applicable banking regulations.

Article 7.- Approval of the electronic device and its registration in the Cantabria Gambling Register.

The electronic device used to issue cards or tickets shall not require prior approval by the regional ministry responsible for gambling.

Article 8.- Authorisation for operation of the device.

- 1.-Operation of the device shall require prior notification to the Regional ministry responsible for gambling.

This notification must be submitted by the company or entity that owns the gambling establishment in which the device is to be installed and must be accompanied by a sworn statement from the manufacturer confirming that the device complies with the applicable banking regulations, as well as with the requirements set out in Article 5(2) and (3).

The electronic device for purchasing gambling cards or tickets must not be put into operation until the Regional ministry responsible for gambling has sent the gambling establishment defined in Article 3 formal notification regarding said installation.

Article 9. Processing of personal data.

All processing of personal data of natural persons that is performed under the provisions of this order shall be strictly subject to the provisions of Regulation (EU) 2016/679 of the European Parliament and the Council of 27 April 2016 on the protection of natural persons with regard to the processing of their personal data and on the free movement of such data, the provisions of Organic Law 3/2018 of 5 December 2018 on the Protection of Personal Data and Guarantee of Digital Rights, as well as the provisions of all other regulations on the protection of personal data.

Sole final provision. Entry into force



This order shall enter into force on the day following the date of its publication in the Official Gazette of Cantabria.

Clausula de Transparencia

En la tramitación de XXXXX se ha observado el procedimiento de información de normas reglamentarias técnicas y de reglamentos relativos a los servicios de la sociedad de la información, previsto en la Directiva (UE) 2015/1535 del Parlamento Europeo y del Consejo, de 9 de septiembre de 2015, por la que se establece un procedimiento de información en materia de reglamentaciones técnicas y de reglas relativas a los servicios de la sociedad de la información, así como el Real Decreto 1337/1999, de 31 de julio, por el que se regula la remisión de información en materia de normas y reglamentaciones técnicas y reglamentos relativos a los servicios de la sociedad de la información.

Art. 9: Cuando los Estados miembros adopten un reglamento técnico, este incluirá una referencia a la presente Directiva o irá acompañado de dicha referencia en su publicación oficial. Los Estados miembros establecerán las modalidades de la mencionada referencia.

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Transparency clause

In the processing of XXXXX, the procedure for the provision of information on technical regulatory standards and regulations relating to information society services, provided for in Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and rules on information society services, as well as Royal Decree 1337/1999 of 31 July regulating the provision of information in the field of technical standards and regulations and regulations relating to information society services, has been followed.

Article 9: When Member States adopt a technical regulation, it shall contain a reference to this Directive or shall be accompanied by such reference on the occasion of its official publication. The methods of making such reference shall be laid down by Member States.