

In accordance with Article 39, items 1 and 5 of the Law on Games of Chance (Official Gazette of the Republic of Serbia, No. 18/20) and Article 42, paragraph 1 of the Law on Government (Official Gazette of the Republic of Serbia, No. 55/05, 71/05 - correction, 101/07, 65/08, 16/11, 68/12 - US, 72/12, 7/14 - US, 44/14 and 30/18 - other law),

the Government adopts the following

**REGULATION  
ON THE DETAILED CONDITIONS, MANNER AND PROCEDURE FOR ISSUING A  
LICENCE FOR ORGANISING SPECIAL GAMES OF CHANCE IN CASINOS**

**(Official Gazette of the Republic of Serbia, No. 149/20)**

**The basic text comes into force from 19/12/2020, the application of this regulation also comes into force from 19/12/2020.**

**I. INTRODUCTORY PROVISIONS**

**Article 1**

This regulation regulates the more detailed conditions, manner and procedure for issuing a licence for organising special games of chance in casinos referred to in Article 15, paragraph 1, item 1 of the Law on Games of Chance (Official Gazette of the Republic of Serbia, No. 18/20) (hereinafter: the "**Law**").

**Article 2**

(1) The licence for organising special games of chance in casinos shall be issued by the Government, on the basis of a public invitation, in the manner and according to the procedure prescribed by this regulation.

(2) Licences for organising special games of chance in casinos shall be issued according to the dynamics determined by the Government.

**Article 3**

(1) The public invitation is published based on a decision by the Government.

(2) The public invitation is published in at least one daily newspaper distributed throughout the territory of the Republic of Serbia, in the Official Gazette of the Republic of Serbia and, if necessary, in other influential domestic and foreign media in the financial field, as well as on the website of the ministry in charge of finance (hereinafter: the "**Ministry of Finance**").

**II. IMPLEMENTATION OF THE PUBLIC INVITATION PROCEDURE**

**Article 4**

(1) The implementation of the public invitation procedure, as well as other professional activities related to the granting of a licence, is performed by the Games of Chance Administration within the Ministry of Finance (hereinafter: the "**Administration**").

(2) For the implementation of the public invitation procedure, the Minister of Finance, upon the proposal of the Administration, forms the Commission for the Implementation of the Public Invitation Procedure (hereinafter: the “**Commission**”).

(3) The Commission consists of a president and four members.

## **1. Preparation and Start of the Public Invitation Procedure**

### **Article 5**

Preparation for the implementation and publication of the public invitation includes the preparation of documentation for the public invitation and taking other actions in order to implement the public invitation.

### **Article 6**

(1) The documentation for the public invitation contains:

- 1) the text of the public invitation;
- 2) instructions to applicants;
- 3) a draft contract on the transfer of the right to organise special games of chance in casinos;
- 4) a draft of the confidentiality agreement;
- 5) an application form.

(2) The interested legal entity purchases the documentation at the price determined by the Ministry of Finance, which is stated in the public invitation.

(3) When purchasing the documentation, legal entities are obliged to sign an agreement on the keeping of confidential data, which is made in accordance with the law governing the protection of business secrets or present classified information in terms of the law governing the confidentiality of data.

(4) After receiving the confirmation of payment of the price for the documentation, as well as the signed contract on keeping confidential data, the Administration delivers in person or sends by registered mail the documentation to the interested legal entities.

(5) The Administration is obliged to issue a certificate to the legal entity on the purchase of documentation for the public invitation.

### **Article 7**

In addition to preparing the documentation for the public invitation, the Commission:

- 1) monitors the implementation of the public invitation;
- 2) determines the timeliness and completeness of the application for a public invitation (hereinafter: the “**application**”);
- 3) evaluates the application;
- 4) creates the final ranking list;
- 5) performs other tasks, in accordance with this regulation.

### **Article 8**

The public invitation contains:

- 1) the name of the body that publishes the public invitation;
- 2) the public invitation code;
- 3) the subject of the public invitation – permission to organise special games of chance in casinos;
- 4) the territory where the casino will be located;
- 5) the conditions for participation in the public invitation;
- 6) the price and deadline for the purchase of documentation;
- 7) the deadline for the submission of applications for public invitation;
- 8) the name of the body conducting the public invitation procedure and the contact person for providing more detailed information;
- 9) other data relevant to participation in the public invitation.

## **2. Submission and Receipt of Applications for a Public Invitation**

### **Article 9**

The application for the public invitation may be submitted by legal entities based in the territory of the Republic of Serbia (hereinafter: the “**applicant**”), whose predominant activity is gambling and betting, registered in accordance with the law with the competent authority.

### **Article 10**

(1) The applicant is obliged to submit, along with the application form – the IPPI form – that is printed with this regulation and which forms an integral part thereof, as follows:

- 1) the decision on entry of the legal entity in the appropriate register, with an attachment on the amount of share capital which may not be less than the Serbian dinar equivalent of €1,000,000 calculated at the official median exchange rate of the National Bank of Serbia, provided that the value of the registered and paid financial contribution of the founder must not be lower than the stated amount;
- 2) evidence of the ownership structure to the beneficial owner, all in accordance with the regulations of the Central Register of Beneficial Owners;
- 3) the founding act of a legal entity;
- 4) proof that the applicant or its majority founder has a share in at least one casino;
- 5) proof that the applicant or its majority founder has been organising games of chance in casinos for at least five years;
- 6) the business plan of the legal entity for a period of at least three years;
- 7) the balance sheet and income statement for the previous year, i.e. audit reports on the financial statements of the founder or a member of the legal entity (if they are subjects of audit), for the previous two years, prepared by a certified auditor, in accordance with the regulations of the country of origin of the member or founder, as well as its financial statements for the period from the date of the last audit report to the end of the semester immediately preceding the semester in which the request is submitted;
- 8) an act from the competent state body confirming that the applicant, its founder or owner, beneficial owner, associate or appointed person has not been sentenced to a fine, if it is a legal

entity, or to imprisonment, if a natural person, for a criminal offence in the Republic of Serbia or a foreign country, i.e. that they have not seriously violated or repeatedly violated regulations governing the prevention of money laundering and terrorist financing during the period of the protective measure prohibiting the performance of certain activities that represent the predominant activity of the company for organising games of chance or the protective measure prohibiting the responsible person from performing certain tasks that represent the predominant activity of a company for organising games of chance, i.e. during the duration of the imposed protective measure prohibiting the responsible person from performing certain duties at a company whose predominant activity is organising games of chance;

9) if, for justifiable reasons, the aforementioned evidence cannot be obtained, the persons referred to in the previous item may submit a statement made under oath that they have not been convicted and that they are not members of an organised criminal group. The Administration may at any time request the persons referred to in the previous item of this paragraph or the competent authority to provide evidence of non-conviction;

10) an offer of the amount of the licence fee, which may not be less than €500,000 on the day of submission of the application;

11) a bank guarantee for the amount of the offered licence fee referred to in item 10 of this paragraph, with a validity period until the end of the procedure, which may not be shorter than 180 days;

12) the rules of the games of chance to be organised.

(2) Documentation, i.e. evidence from paragraph 1, items 6, 8, 9, 10, 11 and 12 of this article shall be submitted in its original form, while other documents may be submitted as certified copies.

### **Article 11**

(1) The IPPI application form contains data on the documentation that is attached to the form and information on documents that can be obtained ex officio.

(2) The applicant shall submit a statement on the fulfillment of the conditions of the public invitation on the application form, stating the issuers of evidence on the fulfillment of the conditions from Article 10, paragraph 1, items 1, 2, 3, 4, 5 and 7 of this regulation and declaring that it will submit that evidence at the request of the Commission and without delay.

(3) In the statement referred to in paragraph 2 of this article, the applicant shall state the data on the internet address of the database, all necessary identification data, as well as the statement of consent, through which evidence can be obtained, i.e. the evidence of fulfillment of the conditions can be inspected.

### **Article 12**

(1) The applicant submits the application by registered mail or submits it in person.

(2) The application and documentation, i.e. the evidence referred to in Article 10, paragraph 1 of this regulation, shall be submitted in writing in the Serbian language. Documents issued in other languages must be translated into Serbian and certified by a certified court translator.

(3) The application must be signed by the applicant, i.e. the person authorised to represent the legal entity.

(4) The proposed amount of the licence fee must be expressed in euros.

### **Article 13**

The application with documentation, i.e. the evidence, is submitted in a sealed envelope and must contain the name and address of the applicant and the code of the public invitation, with the indication: "DO NOT OPEN".

### **Article 14**

(1) The applicant may, in writing, in Serbian, request additional information and explanations regarding the preparation of the application, no later than 20 days before the deadline for submission of the application. The Commission is obliged to send a written response to the applicant, within seven working days from the date of receipt of the request, and at the same time to submit this information to other applicants who have purchased the documentation for participation in the public invitation.

(2) The request for additional information and explanations is submitted to the Commission, with the remark: "Explanations – \_\_\_\_\_ (public invitation code)".

### **Article 15**

(1) The Commission is obliged to issue a confirmation of receipt of the application to the applicant, at the applicant's request.

(2) A timely application is considered to be an application submitted within the deadline specified in the public invitation.

### **Article 16**

(1) Late applications will not be considered by the Commission.

(2) Untimely applications will be returned to the applicant within seven days from the date of receipt, with a copy of the notification that the application was not timely.

## **3. The Opening and Evaluation of Applications**

### **Article 17**

(1) The Commission shall notify the applicants of the place and time of the opening of applications, no later than seven days before the date of opening of applications.

(2) The Commission shall start opening the applications no later than 10 days from the date of the deadline for submission of applications specified in the public invitation.

(3) The opening of applications for the public invitation may be attended by the applicants for the public invitation or the persons authorised to represent the applicant.

### **Article 18**

(1) The Commission keeps minutes of the procedure for opening applications.

(2) The minutes contain in particular: the place and time of the opening of applications, the names of the persons present, the number of received applications, the number and date under which the application was filed, data on the applicants, data on possibly incomplete applications, possible remarks of the applicants, signatures of the President and members of the Commission present at the application opening procedure and the time of completion of the application opening.

(3) If any of those present refuse to sign the minutes, the refusal is entered in the minutes together with the reason for the refusal.

(4) The minutes shall be delivered to the applicants within three days from the date of the opening of applications.

#### **Article 19**

(1) The Commission shall determine whether the applications are complete, i.e. whether they contain all data, evidence and documentation, in accordance with the Law and this regulation.

(2) If the Commission determines that the application was received in a timely manner, it shall state the same in the minutes referred to in Article 18 of this regulation.

#### **Article 20**

(1) The criterion for granting a licence for organising special games of chance in casinos is the highest offered amount of the licence fee.

(2) The Commission shall determine the order of regular applications (hereinafter: the “**ranking list**”), based on the criteria referred to in paragraph 1 of this article.

(3) If two or more applications have the same offered amount of compensation referred to in paragraph 1 of this article, the application whose applicant or its majority founder has a share in a larger number of casinos shall prevail.

(4) If the applicants of two or more applications or their majority founders have a share in the same number of casinos, priority shall be given to the application whose applicant or its majority founder has organised special games of chance in casinos for a longer period of time.

(5) The Commission is obliged to determine the final ranking list no later than 45 days from the date of opening the applications.

#### **Article 21**

The Commission shall compile a report on the conducted public invitation procedure within five days from the date of determining the ranking list.

#### **Article 22**

(1) The Administration submits to the Ministry of Finance the report of the Commission on the conducted public invitation procedure alongwith the determined ranking list no later than three days from the date of completion of the public invitation procedure.

(2) The Ministry of Finance submits to the Government the report of the Commission with the proposal of the decision on granting the licence for organising games of chance in casinos.

#### **Article 23**

If a legal entity does not meet the conditions for concluding the contract prescribed by Article 42, paragraph 3 of the Law, the Government shall make a decision on granting a licence to the legal entity that is next on the ranking list.

### **III. FINAL PROVISIONS**

#### **Article 24**

On the day this regulation enters into force, the previous regulation on the detailed conditions, manner and procedure for issuing a licence for organising special games of chance in casinos (Official Gazette of the Republic of Serbia, No. 77/05, 69/06, 85/08, 104/08 - US and 7/09) shall cease to be valid.

#### **Article 25**

This regulation shall enter into force on the eighth day from the date of its publication in the Official Gazette of the Republic of Serbia.

## The IPPI Form

Basic information about the applicant	<b>Назив правног лица</b>			
	Registered address	City/Place		
		Municipality		
		Address		
		Phone		
		Fax		
		E-mail		
	Activity Code			
	PIN			
	Registration number			
	Registered predominant activity			
	Data on authorised representatives			
	Authorised representative	Name and surname		
		Phone		
		Fax		
		E-mail		
	Authorised representative	Name and surname		
Phone				
Fax				
E-mail				
Authorised representative	Name and surname			
	Phone			
	Fax			
	E-mail			
<b>Information on the founders of the legal entity:</b>				
Serial number	Name	Headquarters / Residence	National ID/ Unique number	Share in the ownership structure
<b>Documentation attached to the form:</b>			Issuer of evidence:	
1) the decision on entry of the legal entity in the appropriate register, with an attachment of the amount of share capital;				
2) evidence of the ownership structure to the beneficial owner, all in accordance with the regulations on the Central Register of Beneficial Owners;				
3) the founding act of the legal entity;				
4) proof that the applicant or its majority founder has a share in at least one casino;				
5) proof that the applicant or its majority founder has been organising games of chance in casinos for at least five years;				
6) the business plan of the legal entity for a period of at least three years;				
8) an act from the competent state body confirming that the applicant, its founder or owner, beneficial owner, associate or appointed person has not been sentenced to a fine, if it is a legal entity, or to imprisonment, if a natural person, for a criminal offence in the Republic of Serbia or a foreign country, i.e. that they have not seriously violated or repeatedly violated regulations governing the prevention of money laundering and terrorist financing during the period of the protective measure prohibiting the performance of certain activities that represent the predominant activity of the company for organising games of chance or the protective measure prohibiting the responsible person from performing certain tasks that represent the predominant activity of a company for organising games of chance, i.e. during the duration of the imposed				



protective measure prohibiting the responsible person from performing certain duties at a company whose predominant activity is organising games of chance;	
9) if, for justifiable reasons, the aforementioned evidence cannot be obtained, the persons referred to in the previous item may submit a statement made under oath that they have not been convicted and that they are not members of an organised criminal group. The Administration may at any time request the persons referred to in the previous item of this paragraph or the competent authority to provide evidence of non-conviction;	
10) offer the amount of the licence fee, which may not be less than €500,000 on the day of submission of the application;	
11) bank guarantee for the amount of the licence fee referred to in item 10;	
12) the rules of the games of chance to be organised.	
<b>Statement of the applicant regarding the acquisition of data ex officio</b>	
<p>I declare that I will obtain the documents necessary for the procedure, from Article 10, paragraph 1, items 1, 2, 3 and 7 of the regulation on detailed conditions, manner and procedure for issuing a licence for organising special games of chance in casinos.</p> <p><i>Indicate the documents that the applicant will obtain himself.</i></p>	
<p><b>A statement on the fulfillment of the conditions of the public invitation, stating the issuer of the proof of fulfillment of the conditions from Article 39, paragraph 3, items 1, 2, 3, 4, 5 and 7 of the Law on Games of Chance, providing data on the internet address of the database and all necessary identification data.</b></p>	

Applicant

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