

In accordance with Article 83, paragraph 4 of the Law on Games of Chance (“Official Gazette of the Republic of Serbia”, No. 18/20),

the minister of finance issues the following

REGULATION

ON THE MANNER OF DETERMINING THE FULFILMENT OF CONDITIONS FOR OBTAINING APPROVAL FOR ORGANISING SPECIAL BETTING GAMES OF CHANCE

(Official Gazette of the Republic of Serbia, No. 152/20)

The basic text comes into force from 26/12/2020, the application of this regulation comes into force since 26/12/2020.

Article 1

This regulation prescribes in more detail the manner of determining the fulfilment of conditions for obtaining approval for organising special betting games of chance.

Article 2

(1) The Games of Chance Administration (hereinafter: the “Administration”) shall determine the fulfilment of the conditions for obtaining approval for organising special betting games of chance in an administrative procedure conducted at the request of a legal entity (hereinafter: the “applicant”) to obtain approval for organising special betting games of chance.

(2) The request referred to in paragraph 1 of this article may be submitted in written or electronic form, along with the documentation, which according to the Law on Games of Chance (“Official Gazette of the Republic of Serbia”, No. 18/20) (hereinafter: the “Law”) must be submitted with a request.

(3) The Administration shall ex officio obtain the data from official records, unless the applicant explicitly states that he will obtain such data himself.

(4) If the applicant is the holder of the data from the documentation, they must submit it in its original form or as a certified copy.

Article 3

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 1 of the Law – regarding the amount of share capital – on the basis of the data registered with the Business Registers Agency.

Article 4

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 2 of the Law – regarding the proof of ownership structure to the beneficial owner – on the basis of the data registered in accordance with the regulations on the Central Register of Beneficial Owners.

Article 5

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 3 of the Law – regarding evidence of the founding act of a legal entity – on the basis of the data registered with the Business Registers Agency.

Article 6

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 4 of the Law on the basis of the data registered with the Business Registers Agency, in relation to 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 the same subject of the 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 from 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 application is submitted.

Article 7

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, items 5 and 6 of the Law on the basis of the data in documents proving ownership or the right to use or lease the premises where special betting games of chance will be organised, with a list of pay-in-pay-out desks per betting shop, provided the number of betting shops is not less than 30.

Article 8

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 7 of the Law on the basis of the certificate of fulfilment of the technical and functional characteristics of the information and communication system, issued to the organiser by the laboratory authorised by the minister of finance.

Article 9

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 8 of the Law on the basis of the data from the certificate of the Republic Geodetic Authority on the distance of the betting shop from the buildings of educational institutions and the certificate of distance between two betting shops, i.e. between the betting shop and a slot machine club.

Article 10

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 9 of the Law on the basis of the data from an act of 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 protective measure prohibiting the performance of certain activities that represent the predominant activity of a 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.

Article 11

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 10 of the Law on the basis of the data from a statement given under oath by the applicant, its founder or owner, real owner, associate or appointed person that they have not been convicted and that they are not members of an organised criminal group.

Article 12

The Administration determines the fulfilment of the conditions from Article 83, paragraph 1, item 11 of the Law – regarding the content of the rules of the game of chance – by inspecting the submitted rules of the game, in accordance with the Law and the regulation that regulates the conditions.

Article 13

On the day this regulation enters into force, the regulation on the manner of determining the fulfilment of conditions for obtaining approval for organising betting games of chance (“Official Gazette of the Republic of Serbia”, No. 129/04, 89/09 and 16/11) shall cease to be valid.

Article 14

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”.