

**REGULATION  
OF THE FINANCE MINISTER<sup>1)</sup>**

dated 3 June 2003

**on the conditions concerning the organisation of games of chance and mutual wagering**

(Journal of Laws of 10 June 2003)

On the basis of Art. 11 section 7, Art. 16 and Art. 22 section 3 of the Act dated 29 July 1992 on games of chance and mutual wagering (Journal of Laws of 1998 No 102, item 650, with later amendments<sup>2)</sup>) it is hereby decided what follows:

**Section 1**

**General provisions**

**§ 1.** The regulation defines:

1) general conditions of organising games of chance and mutual wagering, including detailed responsibilities of a subject organising games of chance and mutual wagering towards their participants, the course of raising claims and the requirements concerning the rules and regulations of prize lotteries, promotion lotteries, prize bingo, promotion lottery and audiotex lottery;

2) the requirements of allowing for exploitation and use of slot-machines and game machines and the requirements of granting permits to particular subjects to introduce such slot machines or game machines to exploitation and use;

3) the requirements concerning manufacturing and sale of coupons for the game of cash bingo and the ways of protecting them against forgery, both in respect to the coupon itself and its wording;

4) detailed requirements concerning the conditions of installation and use of a system used to run a game and control its course;

5) the sample of the certificate of a win, the ways in which such certificates are to be purchased and the requirements concerning keeping the records of purchased and issued certificates.

**§ 2.** Whenever referring in the regulation to:

1) "the act", one understands the Act dated 29 July 1992 on games of chance and mutual wagering.

2) "a slot machine" – one understands a slot machine and a slot machine for games of low payouts.

## **Section 2**

### **General conditions of organising games of chance and mutual wagering**

**§ 3.** 1. Games of chance and mutual wagering are organised in accordance with the approved rules and regulations of the games.

2. A claim shall be raised in writing, with the specification of the name and family name of the applicant and the type of the game or mutual wagering the said claim concerns.

**§ 4.** 1. A subject organising games of chance and mutual wagering is obligated to ensure that the regulation prohibiting people under 18 years of age to participate in games of chance and mutual wagering is complied with, especially by placing, in visible spots, information about the ban on participation in the games of chance and mutual wagering of people under the age of 18.

2. The subject mentioned in point 1 is additionally obligated to ensure the keeping of order in the area of a game centre, in outlets where mutual wagering are made, in outlets with slot-machines of low payouts and in places where video lotteries are organised.

3. Before starting the game, the subject mentioned in Point 1 shall make the participants of the games or mutual wagering acquainted with:

- 1) the way in which a slot machine or a mutual wagering device operates;
- 2) the rules of the game and the possibilities of choosing certain variants of a game or a mutual wagering;
- 3) other reservations concerning the game, listed in the rules and regulations.

4. The subject mentioned in point 1 shall keep slot machines and devices for games of chance and mutual wagering in the state ensuring the conformance of the game with the rules and regulations and the participants of the game the safe use of the said machines and devices.

5. For the purpose of protecting the interests of game participants and third parties, the subject has the authority to refuse the entry to a game centre, an outlet in which bookings are taken or to an outlet with slot machines of low payouts to a person who does not comply with the rules and regulations of the game or uses techniques which can influence the result of the game by way of:

- 1) making notes concerning the course of the game with the use of note-books, electronic calculating devices, audio and video recordings;
- 2) using telephone, radio or a device of a similar type for the purpose of making or using the analysis of the course of the game.

**§ 5.** A subject organising prize lottery, prize bingo and promotion lottery shall call in the internal supervising committee which will supervise the organisation of the game and work out its rules and regulations.

**§ 6.** 1. The rules and regulations of a prize lottery and prize bingo define:

- 1) the name of the game;
- 2) the name of the subject organising the game;
- 3) the name of the body issuing the permit;
- 4) the territory where the lottery or prize bingo will be organised as well as the place and date of prize drawing;
- 5) the number of tickets or coupons for sale;
- 6) the unit price of a ticket or a coupon;
- 7) the way of running the game;

- 8) the ways to ensure the conformity of running the game with the regulations;
- 9) the days of the start up and termination of ticket or coupon sale;
- 10) the socially useful purpose, particularly of a charitable kind, the revenues from the game will be appropriated to;
- 11) the way and date of the announcement of the results;
- 12) the place and date of dealing out the prizes;
- 13) the ways of raising claims and dealing with claims;
- 14) the number and type of prizes to be dealt out with the calculation (in percentages) of the value of prizes in relation to the total price of tickets appropriated for sale – in case of a prize lottery;
- 15) the number and type of prizes with the calculation (in percentages) of their value in relation to the total price of coupons appropriated for sale – in case of prize bingo.

2. The rules and regulations of a promotion lottery and audiotex lottery define:

- 1) the name of the lottery;
- 2) the name of the subject organising a lottery;
- 3) the name of the body issuing the permit;
- 4) the rules governing the running of the lottery;
- 5) the territory where the lottery will be organised;
- 6) the duration of the lottery;
- 7) the way of organising the lottery, in particular the place and date of prize drawing;
- 8) the ways to ensure the conformity of running the lottery with the regulations;
- 9) the way and date of announcing the results;
- 10) the place and date of dealing out the prizes;
- 11) the ways of raising claims and dealing with claims;
- 12) total value of all prizes;
- 13) in case the organised game is a promotion lottery – the date of the start up and termination of goods or other evidences of participation in a promotion lottery;

3. The rules and regulations mentioned in points 1 and 2 shall also include the closing date for raising claims and the information concerning the date of claim prescription, mentioned in Art. 12 of the act.

### **Section 3**

#### **Exploitation and use of slot machines and game machines**

**§ 7.** A slot or a game machine can be allowed for use on the territory of The Republic of Poland only after previous registration, based on testing of such a slot or game machine, mentioned in § 8.

**§ 8.** 1. The testing which precedes the registration will be carried out by a unit authorised by the minister proper for matters related to public finances, herein called the "testing unit".

2. The testing which precedes the registration relies on checking whether the construction of a slot or game machine ensures:

- 1) its safe use;
- 2) the correct action of electrical, mechanical and electronic systems;
- 3) the possibility of defining the degree of game randomness;
- 4) protection against external manipulation;
- 5) a correct fixing of the maximal bid and the value of the maximal, one-time win.

3. As a part of testing which precedes the registration, a slot or game machine shall be checked up to include:

1) a note, visible for all participants, placed in such a way that its removal would lead to defect or destruction of a slot or game machine defining:

- a) the name of the game,
- b) the bid,
- c) table of wins,
- d) description of how to play the game,
- e) the designation of the permit mentioned in Art. 24 points 1 and 1a of the act;

2) such systems of permanent registration and data memory which allow the fixing of the sum being the taxation basis – in case of a slot machine, or received revenues – in case of slot machines of low payouts.

4. The provision of point 3 shall also be used for game machines.

5. Following the completion of tests, the testing unit shall place seals securing against external manipulation.

**§ 9.** 1. After the obtainment, by the subject, of a positive result of tests preceding the registration, the minister proper for matters related to public finances shall, against the application of the subject organising the game, register a slot or game machine.

2. The application for the registration of each slot or game machine shall be lodged in two copies. The opinion including a positive result of a testing preceding the registration, a copy of the permit mentioned in Art. 24 points 1 and 1a of the act and the information concerning the location of the future place of exploitation of the said machine is to be enclosed with the application.

**§ 10.** 1. In order to confirm the registration, the minister proper for matters related to public finances confirms the fact of registration mentioned in § 9 of the application, indicating the registry number of the slot or game machine.

2. The confirmation of the registry ascertains the right of the particular subject to introduce the slot or game machine to exploitation.

3. The confirmation of the registration shall remain valid for the period of six years, under the stipulation of point 4.

4. The confirmation of the registration loses validity:

- 1) with the expiry of the permit mentioned in Art. 24 points 1 and 1a of the act;
- 2) in the event:
  - a) of the slot or game machine being withdrawn from exploitation, under the stipulation of point 6,
  - b) defined in § 14 point 6.

5. After the expiry of its validity, the original of the confirmation of registration is to be returned to the minister proper for matters related to public finances within the period of seven days.

6. In the event of a temporary suspension of the exploitation of a slot or game machine, the confirmation of registration shall remain valid. However, for the whole period of suspension, the subject shall deposit the original of the confirmation of registration with the information of a temporary suspension of the exploitation of a slot or game machine at the minister proper for matters related to public finances.

**§ 11.** In the event of installing devices or systems to read data for external needs of the subject exploiting and using slot and game machines and systems enabling connection between slot

machines and other devices, the registration shall be possible solely under the condition that such systems and devices do not interfere with the course and result of the game.

**§ 12.** A subject running the game shall keep the updated registry confirmation of all users of slot and game machines in the place of their exploitation and use and place the registry number on a slot or game machine in such a way as to render its removal impossible.

**§ 13.** A subject running the game shall inform the minister proper for matters related to public finances of withdrawing a slot or game machine from exploitation within the period of seven days.

**§ 14. 1.** A subject running games of chance, games on slot machines and games on machines of low payouts will exploit and use slot and game machines in the amount consistent with the conditions stated in the permit mentioned in Art. 24 point 1 and 1a of the act, under the stipulation of point 2.

2. A subject in possession of the permit mentioned in Art. 24 point 1 of the act shall possess not more than two reserve slot or game machines per each game centre under the stipulation that a registry of confirmation has been issued for each of the said slot or game machines.

3. The subject mentioned in point 1 shall, at least seven days prior to the change of location of the outlet in which a slot or game machine is exploited, notify the minister proper for matters related to public finances about the intention to change location, stating:

- 1) the exact date of transfer;
- 2) the address of the so-far centre (outlet) of exploitation;
- 3) the address of the future centre (outlet) of exploitation.

4. A subject running games on slot machines of low payouts will send a copy of the notification mentioned in point 3 to the tax office which issued the permit to run games on slot machines of low payouts.

5. The minister proper for matters related to public finances has the right to request, at the cost of the subject mentioned in point 1, control tests of slot and game machines to be conducted by the testing unit.

6. Should any discrepancies be found between the actual state of a game or slot machine and the conditions of registration, the minister proper for matters related to public finances shall withdraw the registration of such a slot or game machine.

**§ 15.** The application mentioned in § 9, the information mentioned in § 10 point 6 and in § 13 and the notification mentioned in § 14 point 3 will be submitted on forms supplied by the office serving the minister proper for matters related to public finances, in particular by placed on the website of the said office.

#### **Section 4**

##### **Detailed requirements concerning installation and use of a system used to control the course and run of games**

**§ 16. 1.** An effective system of picture recording cameras shall be installed in a casino. The system is to ensure the possibility of solving any doubts concerning the games and verification of the correctness of issuing certificates of winning, particularly by way of reproducing each game played in the casino as well as its particular elements, the use of stop-still and producing an unlimited number of photocopies.

2. The number of cameras and their arrangement are to ensure effective recording, including, in particular:

- 1) the entrance to the casino;
  - 2) all gambling tables and slot machines;
  - 3) croupiers;
  - 4) game participants;
  - 5) opening and closing of a gambling table;
  - 6) calculation of results on the gambling table and on a slot machine.
3. Picture recording shall be done separately for each gambling table.

**§ 17.** An employee authorised by a casino supervisor will run a current observation of recorded activities on monitors places in a side room.

**§ 18.** 1. The subject running a casino shall maintain magnetic picture recording for the period of 30 days from the day of its making.

2. Rendering the recording accessible shall be done for free.

## **Section 5**

### **Coupons for cash bingo**

**§ 19.** Coupons for cash bingo will be manufactured on a specially secured paper containing hidden graphic signs or other signs making the forgery of a coupon impossible according to a uniform pattern, mentioned in Art. 15b point 2 of the act.

**§ 20.** 1. A bingo coupon will include, in particular:

- 1) the value of the coupon;
- 2) series number;
- 3) coupon number;
- 4) random set of digits from the set of consecutive digits;
- 5) the player's obligation to comply with the rules and regulations of the game.

2. A subject for whom bingo coupons are printed can demand the placing of additional information on a coupon, provided such information has been listed in the confirmed rules and regulations of the game.

**§ 21.** Sale of bingo coupons is possible only on behalf of a subject in possession of a permit to run the game of bingo cash.

## **Section 6**

### **Certificate of a win**

**§ 22.** A sample of a personal certificate of a win by a participant of a game of chance or mutual wagering, herein called the "certificate" is established. The said sample will constitute an annex to the regulation.

**§ 23.** The forms of the said certificate will be purchased on the basis of a separate application, lodged by a subject in possession of the permit to organise games of chance or mutual wagering.

**§ 24.** No corrections or cross-outs shall be made in the certificates. Should an error be made while filling in a copy of the certificate, the copy shall be annulled and entered into the registry mentioned in § 25, with the annotation of its annulment.

**§ 25.** 1. A subject issuing the certificate shall enter the following data into the record:

- 1) entry number;
- 2) series and number of the certificate of a win;
- 3) date of issuing or annulling the certificate of a win;
- 4) name and family name of a participant of a game of chance or a mutual wagering;
- 5) type of game or mutual wagering;
- 6) the amount of a win.

2. The register shall be kept continuously for the whole period of the subject's business activity. Following the start up of the keeping of register, it shall be confirmed in a proper tax office.

3. Immediately following the termination of his/her business activity, the subject shall submit the register in a proper tax office in order to confirm its closure and annul all unused forms of the certificates of a win.

## **Section 7**

### **Transitory regulations and final provision**

**§ 26.** Certificates of registration issued on the basis of the regulations in force shall remain valid in accordance with the regulations they have been based on.

**§ 27.** "Certificate of a win" forms, issued on the basis of the so-far regulations in force shall remain valid until 31 December 2003.

**§ 28.** The regulation comes into force with 15 December <sup>3)</sup>

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<sup>1)</sup> The Finance Minister supervises the works of governmental administration – public finances on the basis of § 1 Section 2 point 2 of the regulation of the Prime Minister of 29 March 2003 on the scope of the activities of the Finance Minister (Journal of Laws, No 32, item 301, No 43, item 378 and No 93, item 834).

<sup>2)</sup> The amendments of the uniform text of the act have been announced in the Journal of Laws of 1998, No 145, item 946, No 155, item 1014 and No 160, item 1061, of 2000 No 9 item 117, No 70, item 816 and No 116, item 1216, of 2001 No 84, item 908, of 2002 No 25, item 253 and of 2003 No 84, item 774.

<sup>3)</sup> The scope of matters regulated with this regulation was regulated by the regulation of the Finance Minister of 31 October 2000 on the execution of some of the provisions of the act on games of chance, mutual wagering and games on slot machines (Journal of Laws No 95, item 1049).

**ANNEX**

**SAMPLE**

.....  
(full name of the subject  
organising a game of chance  
or a mutual wagering)

.....  
(place and date)

**CERTIFICATE OF A WIN OBTAINED BY A PARTICIPANT OF A GAME OF CHANCE OR  
A MUTUAL WAGERING**

series ..... number .....

It is hereby certified that Mr/Ms .....  
(name and family name, father's name)  
born ....., the holder  
(date and place)  
of the identity card .....  
(type, series, number and PESEL number)  
.....  
(type of game of chance or a mutual wagering)  
on ..... in .....  
(town/city, game centre, mutual wagering outlet)  
has obtained a win in the amount .....  
(in numbers and letters)

.....  
(signature of the person demanding  
the issuance of the certificate)

.....  
(signature of employee  
authorised by the  
administering body)

The certificate is issued at the request of the participant of a game of chance or a mutual wagering in 2 copies. The participant of the game shall receive the original, the copy shall remain in records of the issuing subject for the period of five years.