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## Casino

The subject of the inspection, launched on the basis of the inspection plan for 2019, was compliance with obligations in the processing of personal data, including special categories of personal data in the operation of gambling games.

All procedures for the processing of personal data and special category data, processed by the casino in connection with the operation of gambling games in accordance with Act No. 186/2016 Coll., on gambling, Act No. 253/2008 Coll., on certain measures against the legalization of proceeds from criminal activities and financing of terrorism, and Act No. 69/2006 Coll., on the implementation of international sanctions, and others, not only in the sense of checking internal regulations in the field of technical and organizational security.

The casino, as the operator of the gambling game, is obliged to register each participant of the gambling game. During registration and every subsequent visit of the player, it is mandatory to identify the participant of the gambling game. The procedure and requirements for identification are governed by Act No. 186/2016 Coll., on gambling.

For registration and identification, each player has the option of using one of three options, namely a fingerprint (hashed), face-id (face detection with the use of a hash) together with a membership card, or a membership card and ID card.

Given that the casino as an administrator also processes biometric data (fingerprint and face-id), it is necessary to take into account Article 9, paragraph 1 of Regulation (EU) 2016/679, which prohibits the processing of biometric data. Exceptions to this prohibition are set out in Article 9(2) of Regulation (EU) 2016/679. In the given case, processing is possible only on the basis of a legal title according to Article 9 paragraph 2 letter a) Regulation (EU) 2016/679, i.e. if the data subject has given explicit consent to the processing of this personal data.

The subject submitted the express consent of the persons who chose a fingerprint or Face-ID as the method of attendance registration. The auditee justified the use of biometric data (hash codes) for the purpose of identification, registration of players and security through the access data of the user's game account against theft and fraud.

The auditee assessed the risks associated with the possible leakage of the hash code and concluded that the string of numerical code that the hash represents is worthless if leaked from the company to a third party for the following reason. For the time being, there is no technology that can decode the numerical code into an image form of the biometric data obtained

from the data subject.

It was found that the subject, as part of the registration on the appropriate form, in which he provides the data subject with information about the processing, duration of storage and the rights of the data subject (based on the legal regulations with which the subject as administrator is obliged to comply), requires express consent to the processing of biometric data .

The given consent is the only consent that is necessary for the processing of a special category of personal data of data subjects, as other personal data is processed by the controller on the basis of obligations established by law, or on the basis of a contract [according to Article 6 paragraph 1 letter c) and b) of Regulation (EU) 2016/679].

The inspection did not reveal a violation of Regulation (EU) 2016/679.

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