



Notification Number: 2009/686/E

DRAFT DECREE OF THE SECOND AMENDMENT TO DECREE 23/2005 OF 22 FEBRUARY, APPROVING THE REGULATION ON AMUSEMENT AND GAMING MACHINES AND OF THE THIRD AMENDMENT TO DECREE 240/2004 OF 30 MARCH, APPROVING THE CATALOGUE OF GAMES AND BETTING AUTHORISED IN CATALONIA AND THE CRITERIA APPLICABLE TO THEIR PLANNING.

Date received : 18/12/2009

End of Standstill : 19/03/2010

Message

Message 002

Communication from the Commission - SG(2009) D/52964

Directive 98/34/EC

Translation of the message 001

Notification: 2009/0686/E

No abre el plazo - Nezhajuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - He ce предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 200902964.EN)

1. Structured Information Line

MSG 002 IND 2009 0686 E EN 19-03-2010 18-12-2009 E NOTIF 19-03-2010

2. Member State

ES

3. Department Responsible

SUBDIRECCIÓN GENERAL DE ASUNTOS INDUSTRIALES, ENERGÉTICOS, DE TRANSPORTES, COMUNICACIONES Y MEDIO AMBIENTE.

DIRECCIÓN GENERAL DEL MERCADO INTERIOR Y OTRAS POLÍTICAS COMUNITARIAS.



SECRETARÍA DE ESTADO PARA LA UNIÓN EUROPEA.
MINISTERIO DE ASUNTOS EXTERIORES Y DE COOPERACIÓN.
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3. Originating Department

GENERALIDAD DE CATALUÑA
DEPARTAMENTO DE INTERIOR, RELACIONES INSTITUCIONALES Y PARTICIPACIÓN.
SECRETARÍA GENERAL
DIRECCIÓN GENERAL DEL JUEGO Y DE ESPECTÁCULOS.

4. Notification Number

2009/686/E – X00M

5. Title

DRAFT DECREE OF THE SECOND AMENDMENT TO DECREE 23/2005 OF 22 FEBRUARY, APPROVING THE REGULATION ON AMUSEMENT AND GAMING MACHINES AND OF THE THIRD AMENDMENT TO DECREE 240/2004 OF 30 MARCH, APPROVING THE CATALOGUE OF GAMES AND BETTING AUTHORISED IN CATALONIA AND THE CRITERIA APPLICABLE TO THEIR PLANNING.

6. Products Concerned

AMUSEMENT AND GAMING MACHINES.

7. Notification Under Another Act

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8. Main Content

THE PURPOSE OF THIS DRAFT DECREE IS TO AMEND SOME PRECEPTS OF THE CURRENT REGULATIONS ON AMUSEMENT AND GAMING MACHINES APPROVED BY ROYAL DECREE 23/2005 OF 22 FEBRUARY AND DECREE 240/2004 OF 30 MARCH, APROVING THE CATALOGUE OF GAMES AND BETTING AUTHORISED IN CATALONIA AND THE CRITERIA APPLICABLE TO THEIR PLANNING, AMENDMENTS WHICH CAN BE GROUPED AS FOLLOWS:

ONE. REGARDING THE REGULATION ON AMUSEMENT AND GAMING MACHINES:

- ADDITION OF ARTICLE 6 BIS FOR THE PROMOTION OF RESPONSIBLE GAMING AND GOOD PRACTICES THROUGH MESSAGES INDICATING THE TIME PLAYED ON MACHINES
- AMENDMENT OF ARTICLES 24(1)(D), 26(1)(D), 26(4), 27(1), 27(3) AND 43(1)(A) IN RELATION TO EXPANDING THE TYPES OF PREMISES IN WHICH MACHINES MAY BE INSTALLED TO MUSIC BARS, DANCE HALLS, PARTY HALLS FOR SHOWS AND PUBLIC PREMISES USED FOR THE PRACTICE OF PROSTITUTION.
- AMENDMENT OF ARTICLE 9 ON APPROVAL REQUIREMENTS AND ARTICLE 27(2) REGARDING THE DURATION OF PROVISIONAL PERMITS WHICH MAY BE EXTENDED ANNUALLY FOR UP TO A MAXIMUM OF FIVE YEARS.
- ARTICLE 40(2) ESTABLISHES LIMITS ON SUBSTITUTION DUE TO A CHANGE IN OWNERSHIP OF THE



ESTABLISHMENT.

- THE USE OF ELECTRONIC MEANS IN THE PROCESSING OF OPERATIONS IS TO BE UPDATED.
- MOREOVER, CERTAIN PRECEPTS ARE AMENDED TO ADAPT THE REGULATION TO THE DIRECTIVE ON SERVICES IN THE INTERNAL MARKET WITH REGARD TO AMUSEMENT OR TYPE A MACHINES.
- EQUALLY, A TEMPORARY POSSIBILITY OF SUSPENDING OPERATING PERMITS IS INTRODUCED.

TWO. REGARDING THE AMENDMENT OF DECREE 240/2004, ARTICLE 9(3) NOW ESTABLISHES THAT OPERATING PERMITS CANNOT BE ISSUED FOR TYPE B OR AMUSEMENT MACHINES WITH A PRIZE, EXCEPT FOR REGISTRATIONS FOR THE REPLACEMENT OF A MACHINE OF SUCH CHARACTERISTICS.

9. Brief Statement of Grounds

THE AIM OF THE AFOREGOING AMENDMENTS TO THE REGULATIONS INDICATED IS TO ENCOURAGE RESPONSIBLE GAMING AND GOOD PRACTICES IN THE FIELD ACCORDING TO THE GAMING LEGISLATION IN FORCE.

TECHNICAL AMENDMENTS ARE ALSO MADE IN REGARD TO THE ESTABLISHED REQUIREMENTS AND TO PROCESSES OF SUBSTITUTION AND NEW PERMITS.

IN REGARD TO AMUSEMENT OR TYPE A MACHINES, THE REGULATION IS ALSO ADAPTED TO THE DIRECTIVE ON SERVICES IN THE INTERNAL MARKET.

LIKEWISE, A POSSIBLE SUSPENSION OF OPERATING PERMITS WITH THE CORRESPONDING FAVOURABLE TAX EFFECTS IS ALSO TO BE INTRODUCED ONCE THE RELEVANT LEGISLATION IS AMENDED.

10. Reference Documents - Basic Texts

CATALAN LAW 15/1984 OF 20 MARCH ON GAMING.

CATALAN LAW 1/1991 OF 27 FEBRUARY, GOVERNING THE GAMING PENALTY SYSTEM.

DECREE 23/2005 OF 22 FEBRUARY, APPROVING THE REGULATION ON AMUSEMENT AND GAMING MACHINES (NOTIFICATION 2004/382/E).

DECREE 166/2009 OF 27 OCTOBER, OF FIRST AMENDMENT TO THE REGULATION ON AMUSEMENT AND GAMING MACHINES, APPROVED BY DECREE 23/2005 OF 22 FEBRUARY (NOTIFICATION 2009/339/E).

11. Invocation of the Emergency Procedure

NO

12. Grounds for the Emergency

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13. Confidentiality

A. NO

B. -

14. Fiscal measures

NO



15. Impact assessment

b) THE REGULATORY IMPACT EVALUATION IS ATTACHED AS AN ANNEX TO THE DRAFT DECREE.

16. TBT and SPS aspects

NO

iii)

NO

i)

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