



**Republika e Kosovës**  
**Republika Kosovo - Republic of Kosovo**  
*Kuvendi - Skupština - Assembly*

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**Law No. 04/L-080**

**ON GAMES OF CHANCE**

**Assembly of Republic of Kosovo,**

Based on Article 65, paragraph (1) of the Constitution of the Republic of Kosovo hereby,

Approves

**LAW ON GAMES OF CHANCE**

**CHAPTER I**  
**GENERAL PROVISIONS**

**Article 1**  
**Purpose**

1. This Law regulates the method of organization and functioning of Games of Chance, licensing the subjects and registration of employees of Games of Chance, establishment of the Authority of Games of Chance and their supervision.
2. It regulates the status, governance, management and transferrable and assignable rights of the Lottery of Kosovo.

## Article 2

1. This Law defines the basic principles:

1.1. the public confidence and trust that the licensed Games of Chance and all games of chance and lottery are not linked with criminal and corrupted elements;

1.2. licensing and control are made in order to protect the health, security, moral, public order and overall welfare, for prevention and fighting the dependence on games, protection of youth, prevention and fighting of money laundering, to strengthen the stability and success of Games of Chance and to protect the competing economy, except the lottery of Kosovo and free competing policies in the Republic of Kosovo;

1.3. the applicants for license or for any other permit according to this Law are not obligatory entitled to a license or required permit. Each license issued according to this Law is a revocable privilege and none of its holder wins the permanent right on it.

## Article 3 Definitions

1. Terms used in this Law shall have the following meaning:

1.1. **Applicant** - any person who requests a license for Games of Chance, registration or finding the compliance according to the provisions of this Law or approval of any act or transaction for which an approval of TAK is required.

1.2. **Application** - the request for issuing a license for Games of Chance registration or results of compliance according to provisions of this Law, approval of an act or transaction for which an approval of TAK is required.

1.3. **TAK** – the Tax Administration of Kosovo.

1.4. **Slot Machine** – a device which is used in Casinos and Slot Machine Terminals for Games of Chance regardless of the form of payment and by means of the element of chance enables the participants to get an award of certain value.

1.5. **Bet** – an amount of money or a representative value of money which is put on a game for an event, whose result is not certain and it is selected by the element of chance.

1.6. **Sports Betting** – making a bet about a sports event or a series of sports events.

1.7. **Traditional Lottery** – the Games of Chance involving the sale of pre-numbered tickets to participants and identifying numbers that win pre-determined prizes through draws made at pre-specified times.

1.8. **Numerical Games** – Games such as keno, lotto, bingo, etc. in which the participants select a set of numbers, figures, letters and/or symbols which are entered into a draw to determine the winning set and winning participants share the prize set as a certain percentage of the turnover.

1.9. **Instant Win Games** – Games which allow you to win a prize instantly by scratching or opening concealed sections of the ticket and finding a certain number of identical figures, numbers, letters and/or symbol groups.

1.10. **Lottery Games** – traditional Lottery, numerical Games, instant win Games and similar games in which the results are based purely on chance.

1.11. **Betting and Lottery Games** – the general name used for all Betting Games and Lottery Games.

1.12. **Managing Board** – the managing authority of the Lottery of Kosovo.

1.13. **Commission** – the group of persons nominated by the organizer for the purpose of withdrawal of winnings in Lottery Games.

1.14. **Director** – the general director of TAK.

1.15. **Organizer** – the legal entity, exclusively organizing and managing all activities related to Games of Chance in the Republic of Kosovo, based upon the exclusive license and authority granted by TAK.

1.16. **Participant** – a person playing Games of Chance through dealers and Casino Games in casinos.

1.17. **Central System** – the system to be established and operated by the organizer, with hardware having high data processing and storage capacity and where the information is related to Games of Chance.

1.18. **Ticket** – the specially designed printed paper approving the participation right in Games of Chance.

1.19. **Turnover** – the monetary amount collected from the participants in return for playing Games of Chance.

1.20. **Prize** – the monetary amount to be paid to winning participants in line with the Game Rules and Casino Rules, *inter alia*.

1.21. **Live Games** – Casino Games of Chance operated by people in casinos without including electronic or mechanic devises. This includes Games such as blackjack, baccarat, poker and roulette operating in Casinos.

1.22. **Games of Chance** - every game played physically by cards, dice, device or machine for money, property, cheques, loans or any other equivalent value including but not limited to the games: roulette, keno, bingo, blackjack, poker, baccarat, pay gow, Slot Machines, or any game or other devices approved by TAK, but does not include the games which are excluded by this Law.

1.23. **License for Games of Chance** - the administrative act issued by TAK which authorizes the nominated person in the license to be included in Games of Chance or in related activities.

1.24. **Devices of Games of Chance** – any equipment, integral part or machine which is used for Games of Chance, having an impact on results of the Games deciding about losing or winning as defined by internal rules issued by TAK.

1.25. **Casino** – any licensed facility that houses and accommodates certain type of Casino Games most commonly built near or combined with hotels, restaurants and other tourist attractions.

1.26. **Games of Chance Employee** – any person related with an Organizer of Games of Chance, except the bankers, waiters or other persons involved in the preparation and serving of food and drinks.

1.27. **Suitability** – the fulfillment of criteria to obtain a License for Games of Chance, to register, and to perform activities regulated by this Law.

1.28. **Associated Devices** - are any devices or systems related to Games of Chance, to a game or sport fields which shall not be defined as Games of Chance devices. This includes but is not limited to dice, cards, connection systems connecting the progressive Slot Machines, equipment impacting the reporting of Games of Chance profit and income, computerized betting systems in a bingo or sports betting unit, computerized systems for monitoring Slot Machines, and instruments for weighing or counting money.

1.29. **Manufacturer** – a person, who manufactures, designs, installs, programs, or modifies a device of Games of Chance or cashless Betting Systems of Games of Chance.

1.30. **Person** – any natural person or an entity.

1.31. **Payment for License** - any payment required to obtain or update a Games of Chance License.

1.32. **Advertisement** – any form of notification for promotion of Games of Chance, which purpose is to inform the public by means of written or audio visual media, including but not limited to newspapers, magazines, television, radio, billboards, brochures or direct mail.

1.33. **Registered Person** – any person to whom a valid Registration is issued by TAK in compliance with this Law and sublegal act issued by MF.

1.34. **MF** – the Ministry of Finance.

1.35. **Registration** – a license issued by TAK for operating as:

1.35.1. an organizer of the interconnected system;

1.35.2. a contracted independent laboratory for testing the Slot Machines;

1.35.3. an Employee of Games of Chance.

1.36. **Distributor** – any person who sells, trades, offers, distributes any device of the Games of Chance for use in Kosovo.

1.37. **Distributor of the Associated Devices** – any person who sells, trades, or distributes associated equipments in Kosovo to be used by the licensee.

1.38. **Licensee** – any person to whom a valid license is issued for Games of Chance by TAK according to this Law.

1.39. **Game Rules** – the document prepared by the Organizer and approved by TAK, which includes all the terms related to the how-to-play instructions for Games of Chance, calculation methods of the Prize related to each game, the distribution of the Prize among Participants and all other terms with regards to the Games of Chance.

#### **Article 4**

#### **Games of Chance – Licensing, Categorization and Regulation**

1. Games of Chance are licensed based on this Law.

2. TAK is the regulative authority of Games of Chance.

3. The Games of Chance are:

3.1. lottery games;

3.2. casino games;

3.3. sport Betting;

3.4. slot Machine games;

3.5. tombola Bingo in closed premises.

4. The right and authority for regulating Casino Games in the Republic of Kosovo belongs to TAK. TAK shall use its regulatory rights and authority in establishing, organizing and operating Casino Games within the framework of this Law. The Casino organizers holding the License for Casino Games shall be authorized to establish, organize, offer and operate Casino Games in the Republic of Kosovo.

5. Electronic games, online games through internet, hippodromes, and correspondence games established in geometric progression, with correspondence and with payments of specific sums, all the games called pyramidal, and all other games which are not in paragraph 1 of this Article are forbidden by this Law.

#### **Article 5**

##### **Amusement games and award competitions**

1. Amusement games such as games in calculator, simulator, automatic devices, flipper, as well as the games which are activated by coins or tokens in which the player cannot win money, items or rights, are not Games of Chance according to this Law.

2. Awarding competitions organized by the legal entity for advertisement purposes are not Games of Chance according to this Law and they can be organized provided that the participation in this is not cashed and does not have additional costs.

3. Compensation from paragraph 2 of this Article can be given in products, services or in cash not exceeding the amount of one thousand (1,000.00) Euro per person, the payment in cash is obliged to be made through the bank account of the winner.

4. The entity which organizes the awarding game offers the rules of the game which are approved by TAK according to the corresponding sublegal act issued by MF which shall be published in daily papers.

#### **Article 6**

##### **Advertisement of Games of Chance and exercising of their activities in free zones**

1. The advertisement of Games of Chance for minors (under the age of eighteen (18)) is prohibited. The Advertisement representing Games of Chance as a solution to financial problems is prohibited.

2. The advertisement in written and audio-visual media, except for informative bulletins of the game Organizer is prohibited. Notifications of associations in teletexts of visual media and distribution of informative bulletins are dedicated only to Games of Chance participants and not the public.

3. Any advertisements of Games of Chance are not allowed to be practiced in free areas defined by the appropriate Legislation.

## **CHAPTER II LOTTERY OF KOSOVO**

### **Article 7**

1. The Lottery of Kosovo is a public-legal entity.
2. The Government undertakes the responsibility for all obligation of the founder of the Lottery of Kosovo.
3. The Lottery Games are organized only by the Lottery of Kosovo according to the condition defined by this Law.
4. The payment of profits won at the Games of Chance organized by the Lottery of Kosovo, are guaranteed by the Government of Kosovo.
5. The activity of the Lottery of Kosovo is to exercise Games of Chance, in accordance with this Law, for exercising of which no special permit is required for the Lottery of Kosovo by TAK.
6. The Lottery of Kosovo is obliged to enable the daily monitoring of entire financial and material process by TAK.

### **Article 8**

1. The managing authority of the Lottery of Kosovo is the Managing Board which has five (5) members.
2. The members of the Managing Board are proposed and nominated by the Government with a two (2) years mandate.
3. The following cannot be members of the Managing Board:
  - 3.1. Government senior officers;
  - 3.2. senior managers of political parties;
  - 3.3. persons whose spouse or close family member holds a high position at the Lottery of Kosovo.
4. The members of the Managing Board have their status based on the legislation in power at the moment of their nomination.

5. The Managing Board will be chaired by the President who is elected during the appointment process in accordance with paragraph 2 of this Article, who at the same time shall be a member of the Managing Board.

6. The Government can dismiss from work a member of the Managing Board before the expiration of the mandate:

6.1. if he resigns;

6.2. abuses his rights; and

6.3. is sentenced for more than six (6) months for any crime according to the Laws in power.

7. The President of the Managing Board practices his activities in the title of the legal representative of the Lottery of Kosovo, the functions of whom are defined in detail with the Status of Lottery of Kosovo.

## **Article 9**

1. The Lottery of Kosovo has a Status by which it particularly defines and regulates:

1.1. its Firm and legal Seat;

1.2. its activity;

1.3. the basic capital;

1.4. the quantity, availability and withdrawal of deposits from the basic capital;

1.5. sharing of earnings and the systematization of income;

1.6. bearing responsibility for risks and losses;

1.7. the Administration, appointment, discharge, authorization, responsibility and the payment of assigned employees;

1.8. internal organization;

1.9. status issues;

1.10. the duration and termination of the activity and other issues which derive from the Law and the exercise of the Lottery activity.



2. The status of the Lottery of Kosovo is proposed by its Managing Board, which is approved by the Government of Kosovo.

### **Article 10**

1. The Managing Board of the Lottery of Kosovo:

1.1. analyzes and approves the annual business plan;

1.2. analyzes the business report for the previous year, gives suggestions and ideas in it and along with it, submits it to MF for analysis and decision making;

1.3. in case of submission of the business report for the previous year and the business plan for the following year, it gives suggestions to MF, to prepare the decision for systemizing the realized means;

1.4. decides about the issuance and publication of tickets;

1.5. approves the rules of Games of Chance;

1.6. gives initiatives for the approval, modification or supplementation of the provisions from Games of Chance field of activity, which it represents to MF;

1.7. proposes to MF to give consent for a joint exercising of Games of Chance with the Lotteries of other countries, which exercise Games of Chance, and/or with specialized organizations.

### **Article 11**

1. The decision for systemizing the means realized according to the Article 24 of this Law is approved by MF within thirty (30) days.

2. According to the Law, the Lottery of Kosovo can also be organized in cooperation with the Lotteries of other countries.

3. MF gives the consent for the organization of Lottery Games from paragraph 2 of this Article.

4. The Lottery Games can be realized by the Lottery of Kosovo in business cooperation with other legal registered subjects like: trade, artisan, catering etc, among other things, also for transaction of goods and services.

5. The Lottery of Kosovo may be a member of the EL (European State Lotteries and Toto Association) and of other international associations for Games of Chance.

## **Article 12 Lottery Games**

1. Lottery Games are Games in which the amount of the winning funds is determined beforehand and they are categorized as follows:

- 1.1. traditional Lottery;
- 1.2. instant Win Games;
- 1.3. numerical Games;
- 1.4. similar games in which the results are based purely on Chance;
- 1.5. tombola TV-bingo;
- 1.6. tombola –bingo in closed premises; and
- 1.7. sports prognosis – Totto.

2. Games of Chance such as: Casino Games, Slot Machines and Betting, cannot be organized by the Lottery of Kosovo.

3. For organizing such Lottery Games, according to this Article no special payments of initial provision of security and payments for license are to be made.

## **Article 13 The rules of Lottery Games**

1. The rules of Lottery Games define the rights and obligations of the Lottery of Kosovo and of the Participants of Lottery Games.

2. Rules for exercising Lottery Games include:

- 2.1. name and seat of the Organizer;
- 2.2. name, description and duration of the Game of Chance;
- 2.3. conditions for participation in the Game of Chance;
- 2.4. location where the game is organized respectively the territory where the tickets are sold;
- 2.5. the individual ticket price respectively the price of the combination;

- 2.6. the deadline for participating in the game;
  - 2.7. the quantity and the monetary value of the ticket emission;
  - 2.8. the amount of fund and the sort of winnings;
  - 2.9. the description of the ticket and of the payment slip;
  - 2.10. the way, procedure and the supervision of drawing, respectively the way of verification of winnings;
  - 2.11. the way of the publication of the sums of the winning fund and the results of the game;
  - 2.12. the way and the deadline of the payment of the monetary earnings;
  - 2.13. the way of notifying the Participant with the Game Rules;
  - 2.14. the procedure in case of the revocation of withdrawal.
3. The rules of the lottery game shall not be changed after the beginning of selling of tickets, respectively payment of certain circle.
  4. The Lottery of Kosovo is obliged to publish the rules of the Lottery Games in the daily papers, before the launch of each Lottery Game, and to make available the rules at the selling point.

#### **Article 14** **Withdrawal of winnings**

1. In Lottery Games, in which the winning combinations are verified through withdrawals, the withdrawal must be made before the Commission of at least three (3) members nominated by the Organizer.
2. The withdrawal of winning numbers must be made under the supervision of the person authorized by MF. For electronic games, permitted by this Law, the system should be certified and approved by a certifying International laboratory, which such as it is, it is identified and recognized by MF.
3. Before the beginning of withdrawing the winning numbers of Lottery Games, the organizer must verify the number of the tickets sold, while the unsold tickets must be stamped in front of the Commission and the person in paragraph 2 of this Article.
4. TAK, due to rational reasons, at the request of the organizer, can allow the change of location for withdrawing the winnings, or to change of the day of the withdrawal, but not longer than

fifteen (15) days, provided that the Organizer mandatorily shall notify the public through means of public information.

5. Further selling of tickets is prohibited in case of postponing the withdrawal of winning numbers for a certain round after the regular date is appointed for withdrawal.

6. The organizer of the Lottery Games may revoke the organization of the game, the round or series for which the selling of tickets has begun, only when TAK gives consent for it and money is paid back to the previous purchasers.

### **Article 15**

1. The members of the Commission and the authorized person of MF, compile the minutes and sign it in four (4) original copies, which shall at least contain the location and time, the way of withdrawing winning numbers, the number of sold Tickets, respectively the total payment of the round or series, withdrawn winning combination and the possible remarks given by the Participants of the game.

2. The report on the results of withdrawal or on the defining of winnings must be announced publicly by the Organizer immediately, but not later than seven (7) days from the date of the withdrawing of the winning numbers.

### **Article 16**

#### **The winning fund and payments**

1. The winning fund in the Lottery Games is defined from the basis made of the total value of sold tickets or total value of payments for participating in Lottery Games.

2. The amount of the winnings fund in a certain Lottery Game according to certain rounds or serial games must be published before withdrawing the winnings.

3. The winning fund in certain Lottery Games, respectively in certain rounds or series of games, should be at least fifty percent (50%) of the basis of paragraph 1 of this Article, and it is paid according to the Game Rules.

4. The winnings fund for Tombola – Bingo in closed premises is defined in the fixed amount of sixty percent (60%) for each game cycle.

### **Article 17**

1. The payment of monetary winning, respectively the withdrawing of winnings of other types of games, is practiced within the deadline decided by the Game Rules, and it cannot be longer than sixty (60) days from the day of the publishing of the report of the result of the Lottery Games.

2. The competent body of the Lottery of Kosovo and the Commission assigned by the Managing Board identifies the exact number and amount of the total sum of the unpaid winnings for each game.
3. The means from paragraph 2 of this Article must be returned to the participants through the increase of the fund for earnings from the actual game or other games.
4. The president of the Managing Board of the Lottery of Kosovo decides on the dynamic of the payments of the means from this Article and notifies MF about their decision.

### **Article 18** **Printing Tickets and small leaflets**

1. The tickets for the Traditional Lottery and Instant Win Games, except the Tickets printed by the Terminals, can be printed only in printing-houses authorized by MF, according to the suggestion of the Managing Board of the Lottery of Kosovo.
2. The tickets for the Traditional Lottery and Instant Win Games may be printed by the printing-house that fulfills these conditions:
  - 2.1. when dealing with the eminent producer who works respectively prints tickets for the Traditional Lottery and Instant Win Games for a larger number of lottery organizations that are equal members of the EUROPEAN LOTTERIES, and when
  - 2.2. the producer selected by a contract for the actual job guarantees at least the accuracy of the winning fund, the number of contracted winning and non-winning tickets for the Traditional Lottery and Instant Win Games and their system, the quality of products through security and quality of the emission and guarantees the confidentiality of data.
3. The decision on selecting the printing-house from paragraph 2 of this Article is approved by the Managing Board of the Lottery of Kosovo.

### **Article 19** **Lottery**

1. According to the structure of the winning fund the Lottery Games can be a goods lottery, monetary lottery or monetary – goods lottery.
2. According to the type of winning withdrawal, the Lottery Games can be classic with the exact day assigned for withdrawal, or express and instant, for which the winning prize is printed in the ticket.

**Article 20**  
**Lotto, keno and variations of other games**

1. Lotto is a Numerical Game of Chance in which the withdrawal of the winning numbers is done by balls and through electronic mechanisms, which according to the Game Rules, represents the winning combination.
2. The withdrawal of lotto winning numbers is done publicly, by live TV broadcasting.
3. The balls used for lotto, keno and other kinds of Numerical Games must be tested by their producers according to the Game Rules. Electronic games, permitted by this Law, should be certified by an International laboratory, recognized and authorized by MF.

**Article 21**  
**Sports Prognosis – Totto**

The sports prognosis– Totto is based on the Participants prognosis about the results of the competitions of the local or foreign football leagues, which is made once or several times per week.

**Article 22**  
**TV Bingo**

1. TV Bingo is a Game of Chance in which the numbers are publicly withdrawn through live TV broadcasting.
2. The organization of the TV Bingo is an exclusive right of the Lottery of Kosovo.
3. The withdrawal of winnings in a live TV broadcast can be exercised only by the Lottery of Kosovo.

**Article 23**

1. By the proposal of MF, the Government evaluates and determines the rate of contributions which the Lottery of Kosovo shall pay to the Budget of Republic of Kosovo for:
  - 1.1. war and work invalids' issues;
  - 1.2. taking care of the martyrs', disabled and orphan children;
  - 1.3. supporting human rights;
  - 1.4. supporting culture development;

1.5. sports development;

1.6. supporting health and humanitarian issues needed at particular cases and circumstances.

2. The payments and contributions from paragraph 1 of this Article are defined by the Lottery of Kosovo according to the sub-legal act issued by MF.

#### **Article 24 Authority of Games of Chance**

1. The Authority of Games of Chance is established, exercises its competences and functions based on this Law, inside TAK within the MF.

2. TAK by the sub legal act regulated the Authority of Game of Chance within TAK.

### **CHAPTER III GAMES OF CHANCE LICENSES, REGISTRATION OF EMPLOYEES, RESULTS OF SUITABILITY AND OTHER APPROVALS**

#### **Article 25 Necessary licenses**

1. TAK issue the following types of Licenses:

**1.1. The License for Casino.** The License for Casino is required for any person who exercises the activity, manages or displays any type of Casino Games, or who gets directly or indirectly a compensation or a Prize or any percentage or a part of money or property which is played in order to keep, manage, or continue a Casino Game. Casino Games and Devices of Casino Games shall be purchased or provided only by the persons approved and licensed by TAK. Any License for a Casino according to this paragraph shall expire in three (3) years from the date of issuance, but it can be renewed upon request.

**1.2. The License for the Manufacturer/ Distributor of Slot Machine for Games of Chance.** The license for the Manufacturer/Distributor of Slot Machine for Games of Chance is required for all persons who import, manufacture or distribute Slot Machines in the territory of Republic of Kosovo, or who operate in any way as their Manufacturers/Distributors. Any license according to this Paragraph shall expire in two (2) years from the date of issuance, but it can be renewed upon request.

**1.3. The License for Slot Machine Operators.** The License for Slot Machine Operator is required for all persons involved in the business of placing and using Slot Machines in the retail locations of Slot Machines. Any license according to this paragraph shall expire in two (2) years from the date of issuance, but it can be renewed upon request. A licensed Operator shall obtain Slot Machines only from the licensed manufacturers and distributors. This paragraph shall not be implemented for the persons who have licenses for retail selling points issued according to paragraph 1.4 of this Article.

**1.4. The License for retail Locations of Slot Machines for Games of Chance.** The license for retail locations of Slot Machines is required for all persons who own a permit or manage the Games of Chance only for the Slot Machines established on their locations. A special license for retail locations shall be given to each location where retail Games of Chance are performed in Slot Machines. Any person with a retail location license shall have and keep the exclusive legal ownership for the entire location for which a retail location license of Slot Machines was issued. In order to qualify for this license, the Applicant should apply and operate simultaneously a minimum of ten (10) Slot Machines. The person with a retail location license of Slot Machines cannot operate any other type of Games of Chance except Slot Machines. Any license according to this paragraph shall expire in two (2) years from the date of issuance, but it can be renewed upon request.

**1.5. The License for Sports Betting facilities.** The license for the Sports Betting facilities is required for each person which accepts bets for a sports event. The Licensee for Sports Betting cannot operate any other Game of Chance except Sports Betting. Any license according to this paragraph shall expire in two (2) years from the date of issuance, but it can be renewed upon request.

**1.6. The License for Tombola bingo in closed premises.** The Licensee for Tombola bingo cannot operate any other Games of Chance except tombola bingo. Any license according to this paragraph shall expire in two (2) years from the date of issuance, but it can be renewed at the request and its renewal approval. Printing of tickets and a ticket price can be specified by a sub-legal act issued by MF.

2. A person can obtain more than one license for Games of Chance for each location of Games of Chance.
3. No person gains the property right by means of a license issued by TAK.

## **Article 26**

### **Registration of main employees**

1. Any Licensee of Games of Chance assigns one person who will be in charge of the relevant activities of Games of Chance, *inter alia*. The person in charge shall be registered as a main employee.



2. The registration issued according to paragraph 1 of this Article terminates with the expiration of the license which can be renewed upon request.

3. If, by the decision of TAK, an employee of the Licensee is identified that he/she performs the duties of the main employee and as such, is a subject to registration, TAK shall submit a notice regarding this decision to the Licensee who has employed this main employee.

### **Article 27** **Registration of other employees of Games of Chance**

1. Registration of employees is required for all employees of Games of Chance except the main employee.

2. Person who is required to be registered under this Article will not be an employee or associate of a Licensee until he is registered by TAK.

3. Any person under age of eighteen (18) cannot be employed nor registered as a Games of Chance Employee.

4. TAK may refuse to register as an employee of Games of Chance the person who was reasonably dismissed from work, in Kosovo or elsewhere in any other country, for a licensed Games of Chance activity.

5. The registration made under this Article ends with the expiration of the license but can be renewed upon request.

### **Article 28** **Results of suitability**

TAK may conduct a review of the relationship of each person with a Licensee, to request from any person who offers or provides any immovable or personal property, supplies or services, or participates in any other business relationship with a Licensee, to determine the suitability of a person to do business with a Licensee.

### **Article 29** **Licenses of TAK**

1. To fulfill its responsibilities, TAK may request for Persons, certain transactions or activities, and special licenses under this Law.

2. License certificate, forms and instructions for application, registration, finding of suitability, types of information, positions that are classified as main employees, fees for initial registrations

of key employees and for all their further continuations, forms, tax payment statements, and other special licenses will be regulated by a sub-legal act issued by MF.

### **Article 30**

#### **Unlawful activities**

1. It is illegal if a person, without first providing the licenses and/or permits required in accordance with the Law:

1.1. offers or performs any activity related to any kind of Games of Chance or any other similar games over any media including virtual media (Internet, mobile phone, interactive, TV, etc), deals, directs or exposes for play, any Games of Chance, Games of Chance devices, within the territories of Republic of Kosovo;

1.2. takes directly or indirectly, any compensation, reward, percentage or part of the money or movable assets to maintain, continue or finishing of Games of Chance, Slot Machines, and Sport Betting facilities.

### **Article 31**

#### **Licenses, Registrations and Findings of Suitability Revocable - Non-transferable**

1. Any license, registration, finding of suitability and any other license under this Law is revocable and non-transferable.

2. No licensee registered person or who possesses any other permit, gains the inalienable right or interest for the License, registration or other permit.

3. Return of the privilege of a license, registration, finding of suitability or any other permit is conditional on continuous and appropriate qualification and from the clear definition that the same is obliged to provide regulatory, investigative and law enforcement authorities with any help and information necessary to ensure compliance of policies and requirements of this Law.

### **Article 32**

#### **Qualifications for License, Registration, Finding of Suitability or Permit**

1. The burden of proof on the applicant's qualification as a recipient of the license, registration, finding of suitability or a permit required by this Law falls on the applicant itself.

2. The applicant for license for Games of Chance must fulfill the following conditions:

2.1. he is not convicted of a criminal offense with more than 6 (six) months, in Kosovo or in any other country;

2.2. he shall not have performed any inappropriate or unlawful activity during the management of Games of Chance;

2.3. shall not pose a danger to the public interest of the Republic of Kosovo;

2.4. has appropriate loyalty for business, competence and experience in Games of Chance or in general;

2.5. he finances the proposed business with a legal and appropriate source;

2.6. each lender, credit and other source of money available that the applicant makes available, but does not meet the necessary standards can be considered as inconvenient.

### **Article 33** **Fulfillment of the Suitability Criteria**

1. At least, the following Persons must meet the suitability criteria defined under paragraph 2 of this Article:

1.1. all persons who are licensed registered or found suitable under the present Law;

1.2. in connection with private companies licensed under this Law, all officers, directors and all shareholders who have more than five percent (5%) interest in such companies;

1.3. in relation to companies traded in the stock market exchange and that are licensed under this Law, all officers, directors and shareholders who have more than ten percent (10%) interest or control over the company;

1.4. MF may, by a special sub-legal act require lower percentage (%) for sub-paragraphs 1.2 and 1.3 of paragraph 1 of this Article;

1.5. in relation with licensed partnerships under this Law, all partners;

1.6. in respect of any unit or organization licensed under this Law, all those persons of the unit or organization that have a relationship similar to that of the officer, director or shareholder of the company;

1.7. all persons contracted by TAK for supplying goods or services;

1.8. all persons who give loans or finance the Licensee, regardless whether this financing is related to business development or operation of Games of Chance;

1.9. all persons who have a contract, contract on rent, or any other financial agreement or business with a Licensee as required by sublegal acts issued by MF.

**Article 34**  
**Applicants and Licensees' - Provision of information**

If Applicants or Licensees do not provide requested information by TAK, then the Person's license or Application may be suspended, revoked, or refused based on this failure or refusal for provision of information.

**Article 35**  
**Prohibited Persons have an interest in gambling**

1. None of the following Persons should have an interest, directly or indirectly, in any license involved in Games of Chance:

1.1. officers, agents or employees of any law enforcement agency in the Republic of Kosovo who have authority to investigate or pursue crimes in Kosovo;

1.2. judges of national or local courts, whose jurisdiction cover the Games of Chance;

1.3. any government official who has jurisdiction over zonal division, planning or other licenses related to the locations where the Games of Chance are played.

2. A licensee cannot employ any person in any position, as long as this person is employed by TAK, a Law enforcement agency in Kosovo or any agency that has authority to investigate and prosecute crimes.

**Article 36**  
**Application, cost and resignation from the right of confidentiality**

1. TAK may determine prices for investigating and applying for the purpose of payment of administrative costs of the TAK and for payment of costs for each investigation of the applicant's history and of others. These prices may vary depending on the type of application, difficulty of investigation, or costs that may be made to review issues related to it.

2. TAK application form shall contain also a statement by the applicant who resigns from the right of confidentiality and a provision which allows that the information included in the application can be seen by agents of Law enforcement agencies inside the country and abroad. Resignation from the right of confidentiality includes financial and personnel records wherever they are held.

3. Procedures for the payment of administrative costs will be determined with a special sublegal act issued by MF.

**Article 37**  
**Supplier of the Licensee - Requirements of Suitability**

Any person who supplies goods, equipment, tools for Games of Chance and services to any licensee holding a license for Games of Chance in exchange for any payment or percentage, or calculated as a percentage of the activity of Games of Chance from winnings, should be subject to suitability criteria as set forth in Article 33 of this Law.

**Article 38**  
**Application - Authorization for Applicant Background Investigations**

1. By signing and submitting an application for licensing, registration, or finding of suitability, the applicant becomes subject to Laws of Kosovo against fraud.
2. Applicant authorizes TAK to obtain information from any public or private source, inside the country or abroad, in regard with his background or behavior, and if the applicant is a legal entity, the authorization applies to any shareholder, officer, director, partners, agents or his employees.

**Article 39**  
**Discharge of responsibility-extraction of information or publications**

All Applicants, the subscribers, licensees and other persons holding a permit from TAK will discharge the person from responsibility, its instruments and agents, for damage that may derive from the publication of any material or information provided during questioning, investigations or hearings.

**Article 40**  
**Update of licenses, registration, finding of suitability or other permits**

1. Any license that is in force, following the enforcement of this Law, shall be updated by TAK for the successive period of the license after a request is made for an update and the payment of the license and taxes required by Law and sub-legal acts are completed. The validity of an updated license shall be the same as the period of the initial license. TAK shall act on the application before the expiration date of the current license is due.
2. The request for updating a license, registration, finding of suitability or other permit, may be submitted to TAK up to sixty (60) days prior to the date of expiration of the existing license. TAK shall be obliged to decide regarding the request within sixty (60) days from the day of reception of the request. All payments for license and taxes required by Law and sublegal acts shall be paid into the account designated by TAK on the date of expiration of the existing license or earlier. Through a sublegal act, the method, time and place where the application should be made shall be determined.

3. Update of a license, registration, finding of suitability or any other permit may be refused by TAK for any violation of Law, or sublegal acts deriving from it, for any reason that may or would have prevented its initial issuance or approval, or for any other important cause.

**Article 41**  
**Rejection of a request**

1. Any person:

1.1. whose application is rejected by TAK cannot re-apply for licensing or other permits for at least one (1) year from the date when his Application was rejected;

1.2. who is denied a license for the second time cannot make another request for at least three (3) years from the date of refusal for the second time of his request.

**CHAPTER IV**  
**MISCELLANEOUS PROVISIONS OF GAMES OF CHANCE**

**Article 42**  
**The Licensee – Obligation to maintain records**

1. Licensee shall hold a set of account books, correspondence and all records necessary to fully show ownership, business transactions of Games of Chance of the licensee, which shall be open at any time during business hours for inspection and examination by TAK or Persons authorized by them.

2. TAK may require from a licensee, to immediately make available these books and records and any other information deemed necessary for the proper administration of this Law.

3. All books, records, correspondences, documents and information requested will be held and will be ready for inspection for at least six (6) years.

4. Through this sub-legal act issued by MF, the types of evidence and records can be specified, which are considered necessary to be held by the licensee with the purpose of administration of this Law.

**Article 43**  
**Strengthening of Law Enforcement**

1. It is the duty of all law enforcement officials in the Republic of Kosovo to strengthen the enforcement of provisions of this Law and sub-legal acts of MF, with their own initiative or based on complaints of any person including those of an authorized official of TAK.
2. These Law enforcement officials may exercise any authority for inspection and examination specified in this Law.
3. Prosecutors of district courts of the Republic of Kosovo will proceed with all violations of this Law in the same way as any other crime.

**Article 44**  
**Slot Machines, Delivery Notifications**

1. Any manufacturer or distributor of Slot Machines who transports or imports Slot Machines or computer programs related to them in Kosovo, at the time of departure of the delivery will give to TAK a copy of the bill of delivery which will include at least, destination, serial number of any Slot Machine or computer program related to it and a description for each Slot Machine and computer program related to it.
2. Every person in Kosovo who takes a Slot Machine or a computer program related to it, upon receipt, shall give to TAK, in the form provided by TAK, the information showing at least the location of each Slot Machine or computer program related to it, relevant serial numbers and descriptions.
3. Each Slot Machine approved for use in Kosovo under this Article shall be recorded in a determined location, and the movement of that Slot Machine from this location shall be reported to TAK in accordance with sub-legal acts.
4. Any person who violates any provision of this Article commits a criminal offense.
5. Each Slot Machine or computer program related to it that is not in accordance with this Article shall be declared contraband and shall be completely blocked and confiscated.
6. MF shall issue sublegal acts that regulate the importation, relocation, sale and distribution of Slot Machines and computer programs related to them. Through this sub-legal act there shall be imposed requirements for registration of information, exceptions, time and manner of movement of the Slot Machines and computer programs related to them.

**Article 45**  
**The age of the participants in the Games of Chance**

1. It is prohibited that a person under the age of eighteen (18) to get involved in Games of Chance, to play either in person or through an agent.
2. It is prohibited that people dealing with Games of Chance activities share winnings with a person under the age of eighteen (18).
3. The organizers are prohibited to employ persons under the age of eighteen (18).
4. It is prohibited that the organizer of Games of Chance to allow a person under the age of eighteen (18) to be involved in Games of Chance.

**Article 46**  
**Contracting with inappropriate Persons**

1. It is a crime that a licensee under this Law employs or contracts someone who has been denied or revoked a license for Games of Chance from any governmental authority.
2. The person whom TAK:
  - 2.1. denied the license;
  - 2.2. found inappropriate;
  - 2.3. the license and finding of suitability has been revoked, and who should not enter into any agreement with a licensee, directly or indirectly, without the prior approval of TAK.
3. Any agreement with a person who is subject to the provisions of this Article shall be deemed to include a provision for termination of contract without holding any responsibility by the licensee. Failure to include expressly this condition in an agreement provides no protection in case of termination of the agreement under this Article.

**Article 47**  
**Slot Machines - Certification**

1. Any Slot Machine provided for Games of Chance by a licensee should be produced by a licensed manufacturer within five (5) years and be certified by an independent contracted laboratory of Games of Chance.
2. The certification shall be done only if the slot machine fulfills the criteria in the way of organization of the game, for the type of winning, maximal betting and winning, maximal



duration of the game and maximal loss, fixed by the Ministry of Finance in the Regulation on control of activity of Games of Chance, for protection of general welfare and players, as well as of interest of youth protection.

3. Before putting into use the Slot Machine, a contracted independent laboratory shall certify the regularity of the Slot Machine for Games of Chance, before checking the Slot Machine which is put in use for the first time, the legal entity that puts in use should present to the authorized Person for technical control the certificate and the guarantee of the Slot Machine Manufacturer.

4. Each modified Slot Machine requires re-certification by a contracted independent laboratory for Games of Chance before it can be given for play.

5. Technical control of the Slot Machine can be done by legal entities that do not exercise Games of Chance based on special authorization by TAK.

6. Certificates for the regularity of the Slot Machine for Games of Chance are for two (2) years and must be provided before the expiration of a two (2) year term.

7. Enforcement of this Article will be through a special sub-legal act issued by MF.

#### **Article 48 Loan Offering**

No person licensed, registered or approved by TAK under this Law can offer loans to anyone in order to participate in a licensed Games of Chance activity.

#### **Article 49 Failure to pay winners**

1. It is unlawful for a Licensee, to willfully refuse to pay the winner of any Games of Chance.

2. Any person who violates any of the provisions of this Article is subject to penalties under Article 77 of this Law.

3. Procedures for payment of Participants from the initial amount of guarantee (deposit) will be determined by a sub-legal act issued by MF.

#### **Article 50 Permits for Game Rules and Slot Machines**

1. The Game Rules shall be prepared by the organizer and Games of Chance and shall be approved by TAK for any specific game and will be announced in a place next to the corresponding game where it can be clearly seen by the player.

2. Game Rules shall include the following:

2.1. information about the organizer;

2.2. information and how-to-play instructions on all Games of Chance offered by the organizer;

2.3. information on the methods to be used for calculation of prizes for each game;

2.4. information on the acceptance of the prize winning tickets (or any other informative instruments equivalent to tickets), payment period and payment procedures of the prizes;

2.5. any other necessary information related to Games of Chance.

3. The Licensee shall not provide any game or Slot Machine, or any variation of any game or Slot Machine without prior approval of TAK.

4. TAK shall monitor all activities with regards to organization and offering of Games of Chance and ensure that such activities are conducted in accordance with the Game Rules, *inter alia*.

5. Based on paragraph 6 of Article 47 of this Law, MF shall issue sub-legal acts to control the process, standards and restrictions for Games of Chance and Slot Machines.

#### **Article 51**

#### **Stopping and questioning of a person who is suspected of violating the Law**

Any licensee or officer, employee or agent should inform TAK for any person who is in the business of a licensee that is suspected of violating any provision of this Law.

#### **Article 52**

#### **TAK and the Kosovo Police**

1. TAK will supervise the Games of Chance industry and will strengthen Law enforcement on Games of Chance. Nothing in this Article shall be interpreted as a prohibition or restriction of the authority of local law enforcement agencies to strengthen the provisions of this Law or sub-legal acts in implementation of this Law.

2. The Kosovo Police shall have the authority as follows:

2.1. to conduct criminal investigations and supervise law enforcement agencies in connection with violations reported by local law enforcement officer or by TAK;

2.2. in cooperation with local law enforcement officers and TAK, the Kosovo Police shall conduct and collect information in relation to organized crime in an effort to identify elements or criminal enterprises that may be infiltrated or affect on Games of Chance and report this information to appropriate law enforcement organizations and to TAK;

2.3. to prepare reports in relation with organized crime activities in the Republic of Kosovo or that are heading to Kosovo, or other criminal elements to be used by TAK in an effort to prevent criminal elements or enterprises to be infiltrated or to affect on Games of Chance as described in this Law;

2.4. to inspect or examine, premises, books, records or any other material in writing or electronic kept in the business building of Games of Chance as required by Law, during conducting of the activity of the Kosovo Police, as outlined in this Article.

3. TAK will conduct, in cooperation with the Kosovo Police, based on the Memorandum of Understanding, investigations for the background of applicants for licenses for Games of Chance and applicants for registration, licensees, owners, tenants of an estate or building in which it is permitted or carried out the activity of Games of Chance, of employees of Games of Chance of these businesses, and any other person which TAK may investigate, as defined by this Law or sublegal acts in implementation of this Law.

4. Based on Competencies shown by Customs and Excise Code, Kosovo Customs enforcing the provisions of this law and other sublegal acts for its application, furthermore can investigate the gambling activity in order to ensure that subjects have accomplish obligation's norm of excise tax

5. Criminal violations of this Law by any person, found during an investigation authorized or discovered by TAK will be referred to the Prosecutor's office.

### **Article 53**

#### **Agreements, Contracts and Rents**

All agreements, contracts, rents, or other agreements made in violation of this Law, or sub-legal acts arising from it, are non-obligatory for TAK.

### **Article 54**

#### **Limitations of Financial Interest**

1. No manufacturer or distributor of Slot Machines and Associated Devices or their officials and employees shall have interest, directly or indirectly, in organizers of Games of Chance.

2. Organizer of Games of Chance or their officers and employees shall have no interest, direct or indirect, for the manufacturers and distributors of Slot Machines and Associated Devices.

3. The word "interest" in this Article does not exclude the transactions while conducting business.

**Article 55**  
**Personal Material Winnings or conflict of interest**

1. It is unlawful for a person to issue, suspend, revoke or update a license, registration, and finding of suitability or permit under this Law for any material winning or of something of value.
2. Any person who violates the provisions of this Article commits an offense.

**Article 56**  
**Persons excluded or removed**

1. Exclusion of certain persons from licensed locations of Games of Chance is necessary to implement this Law and policies of this Law to maintain strict regulation of licensed Games of Chance.
2. TAK determines the list of persons excluded from the locations of Games of Chance, including individuals whose presence in these locations is considered dangerous for the interest of the Republic of Kosovo or licensed Games of Chance or both.
3. To make a decision for inclusion in the list, TAK considers each of the following:
  - 3.1. previous sentence for a serious crime, including violations of the Laws of Games of Chance of the Republic of Kosovo or any other state;
  - 3.2. failure to declare interest in a business of Games of Chance, for which the Person must obtain a license, or intentional evasion of payment of duties or taxes;
  - 3.3. reputation, which may have negative effect on public trust that the industry of Games of Chance is pure from criminal and corruptive influences;
  - 3.4. list of persons excluded issued by jurisdictions of other states or by any other government authority.
  - 3.5. professional violators of the Law and their close associates.
4. TAK may impose sanctions on the licensees in accordance with the provisions of this Law if the licensee fails to remove of his locations a person from the list. Such sanctions may include but are not limited to the suspension, revocation, modification, restriction, refusal or conditioning of a license, registration or other permit.

**CHAPTER V**  
**GAMES IN A CASINO, SLOT MACHINES, BETTING AND TOMBOLA BINGO IN**  
**CLOSED PREMISES**

**GAMES IN A CASINO**

**Article 57**

1. The Casino is destined for the organization of specific Casino Games of Chance, which are organized in games tables and played with balls, dices and cards (such as roulette, boule, chemin der fer, black jack, trente quarante, baccarat, carps, etc.).
2. The organizer is responsible and guarantees for payment of the winnings from Casino Games of Chance, with the entire property he possesses.
3. When at the end of working hours, the total income is higher than the payment, that difference represents the profit, whereas, on the contrary, it represents a loss for the Casino.
4. The fund of winnings in Casino Games of Chance is not determined beforehand. The type and amount of winnings is paid at the place of play after each round of playing.

**Article 58**

1. The amount of the beginning capital of the economic entity organized as a company, corporation, etc., cannot be lower than two million (2,000,000.00) Euros.
2. Monetary amount of the initial insurance reserve cannot be lower than two million (2,000,000.00) Euros.
3. The means of initial insurance reserve in the form of deposits in cash have a character of winnings guarantee for players and the coverage of unsettled tax obligations towards TAK and Customs.
4. MF, with the consent of the Government, every year, can increase the amount from paragraph 1 and 2 of this Article.

**Article 59**

1. TAK issues Licenses for Casino Games to economic entities, if the entity:
  - 1.1. provides documented evidence for the basic capital and its origin;

1.2. presents evidence for the deposit of funds in cash to the initial insurance reserve account designated by the MF as well as its origin;

1.3. presents the contract for its establishment with details of the founders, amount of deposit, names and titles of the founders with valid documents for immovable property of the founders;

1.4. presents the business plan for the establishment and for Casino business;

1.5. provides rules for Casino operation and presents the rules for each Casino Game which the Casino will organize.

### **Article 60**

1. To exercise Casino Games, the economic entity (company with a limited liability or a Joint Stock Company) must meet the following conditions:

1.1. should be located in separate locations or in hotels with at least four (4) stars;

1.2. should possess evidence that he is the co-owner of the locations or is contracted to use the locations for Casino Games, so that, including the hotel and subsidiary facilities, the spatial and functional integrity is created, i.e., the surface cannot be less than five hundred (500) m<sup>2</sup> ;

1.3. regulations are approved on Casino work as well as rules for each type of Casino Game that is organized in the Casino;

1.4. should have at least three (3) tables, a cashbox, a currency exchange office and provide audio-visual supervision with regular recording;

1.5. should have supervision in accordance with Law for the entrances and exits along with security and physical guards for players and visitors;

1.6. should have separate space for storage of money and precious items.

1.7. cannot be located in direct vicinity, at least 1,5 km, of educational premises, historical, religious and municipality property.

2. The evidences from paragraph 1 of this Article shall be submitted by the Casino Organizers and they shall be assessed by TAK.

## **Article 61**

1. TAK is obliged to, within ninety (90) days from the date of submission of application for a License for Casino Games; take a decision whereby it is decided on the request of the economic entity.
2. In the deadline envisaged by paragraph 1 of this Article, the TAK should assess the suitability, legality and regularity of the up to date business of the economic entity, respectively of the owner of the economic entity.
3. The permit is granted for a period of 3 (three) years. The Casino organizer is obliged to, after submitting the request for continuation of the permit, to submit its report on the business during the previous years. If the business result which TAK assesses is not satisfactory, the request may be refused.

## **Article 62**

1. Each subject of the Casino should have installed certified video supervision which should be operational from the beginning until the end of working hours.
2. Paragraph 1 of this Article refers to Games of Chance of type "Live Games" in Casino, respectively Roulette, Black Jack etc., in which the employees of the Casino take part in directly and continuously.
3. The Casino Organizer is obliged to save the video recordings, in a safe place in digital form or in any other appropriate form for at least fourteen (14) days from the date of initial record.
4. These recordings shall immediately be made available to law enforcement authorities upon their request.

## **Article 63**

1. In the locations of the Casino one or more members of the enforcement authority may be present, who are responsible for supervision in regards in accordance with the Law.
2. The Casino should have separate locations for offering catering services in which drinks of a Coffee-Bar type are served, but it can also have catering buildings like a restaurant.
3. Conditions for entrance in the Casino shall be determined by the bearer of the license for Casino Games, whereby he can stop certain individuals or certain groups of individuals to enter without providing an explanation for that decision, with the exception of law enforcement authorities.

4. Participants who during the Casino Game violate the rules determined for normal play can be prevented from continuing the game.

## **SLOT MACHINE GAMES**

### **Article 64**

Games of Chance in Slot Machine games can be organized through machines and other instruments of Games of Chance with the possibility of multiple deposits at the club with at least twenty (20) Slot Machines.

### **Article 65**

The total number of clubs where Games of Chance are organized in Slot Machines that can operate in the territory of Kosovo, are proposed by MF, and approved by the Government of Kosovo.

### **Article 66**

1. Games of Chance activities in Slot Machines are exercised by economic entities, which have their seats in Kosovo that match legal requirements and have a License from TAK.

2. TAK, issues licenses to economic entities to exercise such Games of Chance when they:

2.1. are registered to exercise of such Games of Chance;

2.2. are owners of the Slot Machines;

2.3. have provided adequate locations for the placement of at least ten (10) Slot Machines, with a minimum of ten (10) m<sup>2</sup> for each slot machine;

2.4. not to be located in direct vicinity of educational premises, historical, religious institutions and municipality property, at least five hundred (500) metres.

2.5. have approved rules for Games of Chance;

2.6. distance between clubs of Games of Chance, to be at least three hundred (300) metres; and

2.7. have proved that all Slot Machines are constructed and adjusted to ensure winnings from eighty percent (80%) of total payments in which the conditional connection to continue the Game "higher or lower" is not included.



3. Apart from requirements of paragraph 2 of this Article, the Applicant is subject to assessment by TAK, in conformity with the location of the business in which he places the Slot Machines, the ownership of Slot Machines and the legality and regularity of business and up to date behavior.
4. Only one License is allowed in order to have Slot Machines operating in a business location.
5. With the purpose of providing the payment of winnings in favour of participants, meeting the legal and contracting obligations and tax obligations towards TAK and Customs, the organizer of games found in slot machines, during the period permitted for exercising the game, in the account designated by MF, should have paid cash money in a deposit form one hundred thousand (100,000.00) Euros.
6. The License is granted for two (2) years with a set number, with the types of Slot Machines as well as their accurate location. Before the expiration of the term, the economic entity should apply for license renewal.
7. At the request of license renewal, the economic entity should also submit its report on business during the previous two (2) years. If the business results, according to the assessment of TAK are not satisfactory, the request may be rejected.

#### **Article 67**

1. Slot Machines of Games of Chance, before putting into use, should be technically in order.
2. Slot Machines for Games of Chance cannot be licensed and imported for the first time if they are older than three (3) years from the date of production.
3. Slot Machines for Games of Chance that are put in use should have an electronic meter and data base of automatic information and security of data for the general work of Slot Machines including the mechanical control plant, which notes the turnover of the Slot Machine.
4. The fund of winnings in Slot Machine Games of Chance is not determined beforehand. The type and amount of winnings is paid at the place of play after each round of playing.
5. The conditions and the way the turnover is noted and recorded shall be specified with a special sublegal act issued by MF.

#### **Article 68**

1. The use of other Slot Machines and devices of Games of Chance is allowed for use if, on them, you see in visible places, specific indicators for notices and recording of information, for the type of instrument, location, term and serial number as well as the Organizer of the Games of Chance.

2. The stickers for the details from paragraph 1 of this Article, with a certain procedure, the Organizer of Games of Chance can take from TAK. TAK holds special records for all the stickers made, supplied and available.

### **Article 69**

1. The Organizers of the Games of Chance, before putting the Slot Machine in use or before moving it to a different location, should make a request in writing on time and in an appropriate way to Tax Administration of Kosovo for license issuance, seven (7) days prior to taking such action.

2. Slot Machines for Games of Chance should be designed and adapted in a way that, with the total number of programmed combinations, pay players at least eighty percent (80%) of the value of their payments, in which the risk of conditional ties is not included in the realized profit towards the records of incomes and outflow through the mechanical indicator.

## **SPORTS BETTING**

### **Article 70**

1. The applicant, who is the Organizer, can organize and offer various Betting in locations, specifically suitable for it and based on the Licensee for Betting issued by TAK.

2. The applicant, who is the organizer, for Betting must fulfill the following conditions:

2.1. shall be a legal user of the locations in which Betting is organized;

2.2. shall have at least a place for cashing payment;

2.3. the place for payments and central database in the computer must be accessible for telecommunication;

2.4. the organizer of the bet must be the owner of the equipment necessary for the normal conducting of Betting;

2.5. shall provide documented evidence for the basic capital;

2.6. shall provide evidence for the deposit of funds in cash of the initial insurance reserve account designated by MF;

2.7. it must not be located in direct vicinity, at least five hundred (500) metres, of educational premises, historical and religious institutions and municipality property;

2.8. the distance between premises to be at least three hundred (300) metres.

2.9. shall undertake and ensure that the Prizes related to the Prize winning Tickets are paid;

2.10. shall present reports related to Betting to TAK on regular basis every 6 (six) months;

2.11. the Organizer, its members, partners, employees and other Persons that work for the Organizer, are obligated to keep the confidentiality of Participants and their participation in the game.

3. The License to conduct Betting is given to the Applicant, who is the Organizer, for two (2) years and it should be renewed before expiration of the term of two (2) years in accordance with Article 42 of this Law.

4. The Licensee, who is the Organizer, is obliged, at the request of License renewal, to present its report on business during the previous two (2) years. If the business results, according to the assessment of TAK are not satisfactory, the request may be rejected.

5. The Organizer of betting is obliged to set internal rules for exercising Games of Chance in betting.

6. The Applicant, who is the Organizer, which is given a License to conduct Betting, should have a basic capital of at least one hundred and fifty thousand (150,000.00) Euros.

7. In order to ensure the payment of winnings in favor of the Participants, fulfillment of legal and contractual obligations and tax obligations towards TAK and Customs, the Organizer of Betting, during the allowed period while exercising Betting, must pay in the account determined by the MF, in cash in the form of deposit one hundred and fifty thousand (150,000.00) Euros.

### **Article 71**

Telecommunication equipment should be in an open network (online).

## **TOMBOLA BINGO IN CLOSED PREMISES**

### **Article 72**

1. Tombola bingo in closed premises is a Game of Chance, which can be organized by legal entities in accordance with the granted permit by the competent authority, but only in closed premises, which may not be publicly broadcasted.

2. The permit under paragraph 1 of this Article is given by the competent authority for two (2) years provided that the applicant:

- 2.1. is registered for exercising Bingo games;
  - 2.2. is the owner of equipment that are necessary for exercising Bingo games;
  - 2.3. has determined the corresponding locations which have an address;
  - 2.4. has enabled physical approach of players to the locations in which the games are organized,
  - 2.5. must not be in direct vicinity at least five hundred (500) metres with educational premises, historical and religious institutions and municipality property;
  - 2.6. has set the rules of the game along with instruments of efficient control.
3. The organizer of Bingo games can issue in circulation only tickets permitted by TAK which can be sold exclusively only in the locations where the game is conducted.
  4. The organizer is obliged to keep records for each game specifying the amount and series of issued tickets, whereas the final result for each game is recorded in a special form.

### **Article 73**

#### **Game Rules of Games of Chance**

1. Game Rules of Games of Chance should be compiled in the official language applicable in Kosovo.
2. During Games of Chance, which the players have started after paying the amount for participation in a game, the Game Rules cannot change, nor be supplemented until the game is finished.

## **CHAPTER VI**

### **PAYMENTS FOR LICENSES OF CASINOS AND OTHER ACTIVITIES OF GAMES OF CHANCE**

#### **Article 74**

1. In order to obtain a license, according to this Law, and in order to renew them, before issuance or renewal of the license the following payments should be done:
  - 1.1. for Casinos:
    - 1.1.1. payment for initial licensing one million (1,000,000.00) €

1.1.2. initial payment for each live game five hundred (500.00) €

1.1.3. initial payment for every computer, electronic machine or Slot Machine one hundred (100.00) €

1.1.4. payment for a license renewal fifty thousand (50,000.00) €

1.2. for the Manufacturer and Distributor:

1.2.1. payment for initial licensing ten thousand (10,000.00) €

1.2.2. payment for license renewal five thousand (5,000.00) €

1.3. for the Organizer of Slot Machine:

1.3.1. payment for initial licensing twenty thousand (20,000.00) €

1.3.2. payment for ten (10) Slot Machines two thousand and five hundred (2,500.00) €

1.3.3. payment for any additional Slot Machine two hundred and fifty (250.00) €

1.3.4. payment for license renewal two thousand and five hundred (2,500.00) €

1.4. for the retail location of Slot Machines:

1.4.1. payment for initial licensing five thousand (5,000.00) €

1.4.2. payment for license renewal one thousand (1,000.00) €

1.5. sports Betting:

1.5.1. payment for initial licensing twenty five thousand (25,000.00) €

1.5.2. initial payment for each location five thousand (5,000.00) €

1.5.3. payment for license renewal two thousand and five hundred (2,500.00) €

1.6. tombola bingo in closed premises:

1.6.1. payment for initial licensing five thousand (5,000.00) €

1.6.2. payment for license renewal one thousand (1,000.00) €

2. In order to obtain and renew a license, according to this Law, payments should be completed before issuance or renewal of licenses, which shall be paid to the budget Republic of Kosovo.

#### **Article 75**

With the entry into force of this Law, all entities licensed to operate Games of Chance, will be exempted from the withholding of tax on profit for player.

### **CHAPTER VII PUNISHMENT PROVISIONS**

#### **Article 76 Penalties for No License**

1. Persons organizing Games of Chance without the permission of the competent authority, dependently on the type of Game of Chance are fined:

- 1.1. for Casino Games thirty thousand (30,000.00) €
- 1.2. slot Machine Games ten thousand (10,000.00) €
- 1.3. for Betting ten thousand (10,000.00) €
- 1.4. for Tombola bingo three thousand (3,000.00) €
- 1.5. other games prohibited by this Law from three thousand (3,000.00) € to twenty thousand (20,000.00) €
- 1.6. manufacturers/distributors five thousand (5,000.00) €
- 1.7. retail Locations of Slot Machines two thousand (2,000.00) €

#### **Article 77 Penalties for violation of legal provisions**

1. Licensees who deal with Games of Chance activities are fined if the Licensee:

- 1.1. exercises Games of Chance in contradiction with this Law and legal provisions shall be punished in the amount of one thousand (1,000.00) €

1.2. changes the rules of a certain round of Games of Chance, after the sale of tickets has started for that round, and then without any approval postpones the day or the location of withdrawal of winnings shall be punished in the amount of two thousand (2,000.00) €

1.3. makes withdrawals of winnings without notifying MF officials or before withdrawal does not verify the number of sold tickets, and he does not close up the unsold tickets, does not stamp and does not annul the tickets before the Commission shall be punished in the amount of two thousand (2,000.00) €

1.4. does not pay the winnings in the term determined by Game Rules shall be punished in the amount of three thousand (3,000.00) €

1.5. circulates Tombola bingo tickets which are not authorized by the competent authority shall be punished in the amount of five hundred (500.00) €

1.6. continues to exercise Games of Chance, even when he does not fulfill any of the conditions required to exercise Games of Chance in Casinos shall be punished in the amount of three thousand (3,000.00) €

1.7. continues to exercise Games of Chance, even when he does not fulfill any of the conditions required to exercise Games of Chance for Slot Machines shall be punished in the amount of one thousand (1,000.00) €

1.8. when supervising, he does not enable the authorized authority to view the business documentation, business locations, assisting means, or instruments or disables the supervision of the complete financial and business material shall be punished in the amount of one thousand (1,000.00) €

1.9. when exercising Betting for unlicensed units shall be punished in the amount of two thousand (2,000.00) €

1.10. continues activity even though he does not fulfill any of the conditions required for exercising the activity as a Manufacturer/ Distributor of Slot Machines shall be punished in the amount of one thousand (1,000.00) €

1.11. continues the activity even though he does not fulfill any of the conditions required for exercising the activity as a retailer of Slot Machines shall be punished in the amount of one thousand (1,000.00) €;

1.12. the Registered Person who is a main employee shall be punished in the amount of two hundred and fifty (250.00) €

1.13. the Registered Person who is an employee of Games of Chance shall be punished in the amount of one hundred twenty- five (125.00) €

1.14. The Registered Person who is conducting Tombola bingo shall be punished in the amount of two hundred fifty (250.00) €

1.15. the entities which organize award games, and which entities do not apply for a license from TAK shall be punished in the amount of two thousand (2,000.00) €

1.16. the entities which organize award games and do not comply with the Game Rules as envisaged by this Law shall be punished in the amount of one thousand (1,000.00) € for each award game;

1.17. the entities which organize Games of Chance and which allow Persons under the age of eighteen (18) to take part in Games of Chance shall be punished for casino three thousand (3,000.00) Euro, while for other games one thousand (1,000.00) Euro;

1.18. advertisement of Games of Chance in contradiction with the Legislation in power shall be punished in the amount of two thousand (2,000.00) €

1.19. for not applying on time for a license according to provisions of the Law in power shall be punished in the amount of five hundred (500.00) €

2. During the control of the Licensees, if the Turnover declared in Books and Records (Documents) is lower than the audit conducted by TAK has shown, the Licensee will be fined accordingly:

2.1. for Casinos, two thousand (2,000.00) €;

2.2. for Slot Machines one thousand (1,000.00) €

2.3. for Betting one thousand (1,000.00) €

2.4. for Tombola Bingo two hundred fifty (250.00) €

3. For offences from paragraph 1 of this Article, the responsible Person in the legal entity (shall be fined in money) in the amount from two hundred fifty (250) € up to two thousand five hundred (2,500.00) €

## **Article 78 Criminal Offences**

1. Any unauthorized Person offering any kind of Games of Chance or any similar games, over any media including virtual media within the Republic of Kosovo, shall be sentenced to imprisonment from one (1) to three (3) years and punished with an amount from five thousand (5,000.00) € to twenty thousand (20,000.00) €



2. Any Person advertising or promoting unauthorized Games of Chance or any similar games, providing banking or other financial intermediary services for such unauthorized games shall be sentenced to imprisonment from one (1) to three (3) years and punished with an amount from two thousand (2,000.00) € to ten thousand (10,000.00) €

3. In relation with the crimes defined in this paragraph, any assets used for or any income generated from offering or helping to offer any such unauthorized games shall be confiscated.

4. Games of Chance and any similar games organized abroad and offered in the Republic of Kosovo by any Person other than the organizer through any media including virtual media shall be regarded as unauthorized games and any person offering or helping to offer such Games of Chance shall be penalized within the scope of Articles 29 and 77 of this Law.

### **Article 79** **Suspension or Revocation of a license**

1. Any license, registration, finding of suitability or any other permit issued according to this Law may be suspended for a time period up to six months or be revoked if TAK has evidences. Besides suspension or revocation, TAK may impose also monetary punishment which does not exceed the amounts as follows:

1.1. when the Licensee has a Casino license five thousand (5,000.00) €

1.2. in case the Licensee possesses a license as a Manufacturer / Distributor of Slot Machines, license for a Retail location of Slot Machines one thousand (1,000.00) €;

1.3. if the Registered Person is the main employee two hundred fifty (250.00) €

1.4. if the registered Person is an employee of Games of Chance one hundred twenty five (125.00) €

1.5. if the Licensee has a Sports Betting license one thousand (1,000.00) €

1.6. if the Licensee has a Tombola Bingo license five hundred (500.00) €

2. The civil penalties do not present any obstruction for penal prosecution or for any civil or administrative penalties.

### **Article 80**

1. In cases when it is ascertained that an entity exercises Games of Chance without license from the competent authority, TAK has the right to close it and/or confiscate all the associated devices.

2. MF, through a special sub-legal act, can request to supervise and have a direct connection of the central online server of the entities with the central online server at TAK.
3. Any fine and tax duty envisaged under Article, 77, 78, 79 of this Law shall be accumulated in the same manner as envisaged by Law Nr. 03/L-222 on Tax Administration and Procedures.
4. In case the owners of slot machines within two (2) months, from the date of sequestration, do not carry out the tax obligations in Customs, then the Customs will demolish the slot machines that are under Customs supervision.

## **CHAPTER VIII FINAL PROVISIONS**

### **Article 81 Enforcement**

1. Until the new Law and its sublegal acts are enforced, economic entities will fulfill their legal obligations and perform their activities based on the Law on Games of Chance No. 2004/35.
2. For implementation of paragraph 5 of Article 66 of this Law, all economic operators should fulfill the requirements deriving from this paragraph, in term of one (1) year.
3. The rights and obligations of the Licensees who have been holding Games of Chance licenses up and until the enforcement of this Law shall remain the same until the expiration date of the relevant license. However, all renewals of such licenses shall be subject to the provisions of this Law.
4. MF, in certain procedure, with the purpose to implement this Law, shall bring special sub-legal acts.

### **Article 82 Law in Force**

This Law abrogates the Law on Games of Chance, No. 2004/35 of date 8 September 2004 and its sub-legal acts which were issued for its enforcement.

**Article 83**  
**Entry into force**

This Law shall enter into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

**Law No. 04/L-080**  
**6 April 2012**

**President of the Assembly of the Republic of Kosovo**

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**Jakup KRASNIQI**