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HGC

Hellenic Gaming Commission

Independent Public Authority

Planning, Regulation and Research Directorate

Department of Regulation

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DECISION

Subject: Receipt, classification and management of the player complaints lodged by players provided by the Online Gaming Licence Holders and submission of relevant reports

THE HEAD OF PLANNING, REGULATION AND RESEARCH DIRECTORATE

Whereas:

1. The provisions of:

- a. Article 25 to 54 of Law 4002/2011 amending pension legislation for the Public Sector- Regulations for the development and consolidation of public finances- Responsibilities of the Ministries for Finance, Culture and Tourism and Labour and Social Security (Government Gazette 180/A);
- b. Law 4624/2019 on the protection of Personal Data, measures on the implementation of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and harmonization of Greek Law to Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016, and other provisions (Government Gazette 137/A);
- c. Articles 18 and 19 of Law 4622/2019 on the executive state: organisation, operation and transparency of government, governmental agencies and the central public administration (Government Gazette 133/A);
- d. Chapter XI entitled 'DIGITAL TRANSPARENCY- ΔΙΑΦΓΕΙΑ: THE TRANSPARENCY PROGRAM INITIATIVE' of Law 4727/2020 on Digital Governance (Adoption of Directive (EU) 2016/2102 and

- Directive (EU) 2019/1024 on Electronic Communication (Adoption of Directive (EU) 2018/1972) and other provisions (184/A);
- e. Articles 16 to 23 of Law 3229/2004 on the supervision of private insurance, supervision and control of games of chance and application of the International Accounting Standards and other provisions (38/A), and in a supplementary manner the provisions of Law 3051/2002 on independent authorities enshrined in the constitution and regarding the amendment and completion of the recruitment system in the public sector, and other relevant provisions (Government Gazette 220/A);
2. Joint Ministerial Decision No. 56660/1679/22.12.2011 issued by the Ministers of Finance and Culture and Tourism on the Certification for commencement of operation granted to the Hellenic Gaming Commission (HGC) (Government Gazette 2910/B);
3. Decision No. 145940/ΕΞ 2020/21.12.2020 (Government Gazette, Volume of Special Position Employees and Administration Bodies of the Public Sector and the Broader Public Sector Agencies 1089) issued by the Minister of Finance in conjunction with similar Decisions Nos. 2/63389/0004/21.07.2016 (Government Gazette, Volume of Special Position Employees and Administration Bodies of the Public Sector and the Broader Public Sector Agencies 397), 2/3935/0004/24.07.2018 (Government Gazette, Volume of Special Position Employees and Administration Bodies of the Public Sector and the Broader Public Sector Agencies 428), οικ. 9433 ΕΞ 2019/13.02.2019 (Government Gazette, Volume of Special Position Employees and Administration Bodies of the Public Sector and the Broader Public Sector Agencies 64) and 3557 ΕΞ 2020/14.01.2020 (Government Gazette, Volume of Special Position Employees and Administration Bodies of the Public Sector and the Broader Public Sector Agencies 20) on the commencement of operation of the HGC;
4. HGC Decision No. 218/2/22.9.2016 approving regulation on the organisation, structure and operation of the HGC Service Units (3404/B), as in force;
5. HGC Decision No. 509/2/11.09.2020 transferring responsibilities to the Chairman of the Hellenic Gaming Commission under Article 23 (8) of Law 4141/2013 (81/A), as in force (4139/B);
6. Decision No. 12970/01.12.2020 issued by the HGC Chairman transferring responsibilities to the HGC Service Units' Heads (5651/B) allowing them to exercise relevant duties;
7. Law 79835 / ΕΞ 2020 / 24.7.2020 on the Enactment of Gaming Regulations on organizing and conducting online games of chance (Government Gazette 3265/B, Error Correction 4441/B), and in particular Article 26 thereof.
- 7.1 In particular, according to paragraph 26.1 of Article 26 of the above Decision [26.1. *The Licence Holder should apply an effective and appropriate system for the processing of complaints submitted by Players, which shall be notified to the Authority, and keep a record of complaints accessible by the HGC at the time and in a manner defined by the Authority*].
- 7.2 Furthermore, according to paragraph 26.1 of Article 26 of the same decision [26.2. *The Licence Holder shall provide a relevant complaint form on his/her Website. The content of the complaint form shall be laid down in the HGC Guidelines and shall include at least the following:*
- a. *Full name and father's name;*
- b. *Date of birth;*
- c. *Valid ID card or passport No.;*

d. Full address of permanent place of residence;

e. Address and response dispatch method;

f. Description of Incident.]

8. Based on the above, there is a need for the HGC to issue a Directive on the receipt, classification and management of complaints lodged by players of online games provided by the Online Gaming License Holders, and for the submission of relevant reports.

9. This decision does not entail any burden on the HGC budget.

WE HEREBY DECIDE

1. To enact a Directive which shall set forth the process of receipt, classification and management of complaints lodged by players of online games provided by the Online Gaming License Holders, and for the submission of relevant reports to the HGC under paragraphs 26.1 and 26.2 of Article 26 of the Decision No. 79835 EΞ 2020 / 24.7.2020 issued by the Minister of Finance establishing a Gaming Regulation for the Organization and Running of Online Games (Government Gazette 3265/B, Correction of errors 4441/B), as follows:

DIRECTIVE 3/2021

on receipt, classification and management of complaints lodged by players of online games provided by the Online Gaming License Holders, and submission of relevant reports

1. Purpose / Scope

1.1 The decision establishes the process of receiving, classifying and managing complaints lodged by players of online games provided by the Online Gaming License Holders, and for the submission of relevant reports to the HGC under paragraphs 26.1 and 26.2 of Article 26 of Decision No. 79835 EΞ 2020 / 24.7.2020 issued by the Minister of Finance.

1.2 The directive is addressed to the Online Gaming License Holders who should apply its provisions.

2. Obligations

The Licence Holder shall:

2.1 Have on its website a technically adequate and efficient submission and complaint processing system (easily accessible to any interested player). The Licence Holder shall publish in the above system the specific conditions entitling the interested player to submit a complaint, the process of its management and processing, as well as the complaint submission document/ form, both in Greek and English.

2.2 Register the submitted complaints in the Central Information System (CIS) adding a timestamp and a unique identifier.

2.3 Ensure that an e-mail will be sent to the complainant once the complaint has been lodged in order to inform him/her that the complaint has been registered, indicating the

unique identifier under which the complaint has been registered in the CIS as well as the date and time of submission.

2.4 Ensure that the player preserves the right to submit any complaint, grievance or dispute, on issues or events related to games conducted by him/her and/or any related transactions by filling out the published complaint form.

2.5 Inform the player that, according to the Directive, the complaint shall be submitted no later than forty-eight (48) hours from the day following the date of the event. However, in special cases where the complaint is deemed valid based on sufficient information, the deadline for its submission does not override the requirement for the Holder to check on it.

2.6 Inform the complainant that in case the Licence Holder's answer does not satisfy the complainant, the latter may request, within ten (10) days from the day after the Licence Holder's answer was notified to them, that their complaint be re-examined by the HGC. Request for re-examination shall be notified to the Licence Holder who shall promptly send all relevant information to the HGC.

2.7 Ensure that the player is given the opportunity to follow the stages of complaint management and processing (submission, processing stages, processing units/departments, final answer to the issues).

2.8 Have specialized personnel for managing and examining the complaints it receives.

2.9 Ensure that communication with the complainant takes place in a timely, valid manner, with the completeness required for the case and in a gentle and constructive manner.

2.10 Shall ensure that player can submit complaints, reports and grievances 24 hours a day, 7 days a week (24/7).

2.11 Shall inform the player that the License Holder preserves the right not to respond to completely vague complaints or complaints that are repeated in an excessive manner.

2.12 Shall not disclose to the complainant any data or information to which a duty to maintain confidentiality and / or secrecy applies in accordance with the applicable provisions.

2.13 Communicate to the HGC its system for receiving and managing complaints, along with a detailed description of its structure, specifications and content, within thirty (30) days as of the date following the issuance of a decision for the commencement of games under the License referred to in Article 6 (2) of Decision No. 79835 EΞ2020/24.7.2020(3265/B) issued by the Minister of Finance.

3. Complaint form

3.1 The complaint document (form) posted on the Licence Holder's website shall include the following particulars:

- a. Full name and father's name;
- b. Date of birth;
- c. Valid ID card or passport No.;
- d. Full address of permanent place of residence (street, number, municipality, postal

code);

e. Personal e-mail address;

f. Address and response dispatch method;

g. Description of Incident

3.2 The complaint shall necessarily be accompanied by a copy of the ID card or passport or equivalent document verifying the identity of the complainant.

3.3 The complaint shall briefly describe all events that took place, the time, the reasons for submission, as well as all information related to the reported data.

3.4 The Licence Holder shall offer the possibility of submitting files in widely used formats such as: bmp, .doc, .docx, .jpg, .odt, .ods, .odp, .pdf, .png, .pps, .ppsx, .ppt, .pptx, .txt, .xls, .xlsx).

4 Complaint Management

4.1 The License Holder shall look at the complaint and inform the complainant, giving a fully reasoned response, within ten (10) days of the submission.

4.2 In case the Licence Holder's answer does not satisfy the complainant, the latter may request, within ten (10) days from the day after the Licence Holder's answer was notified to them, that their complaint be re-examined by the HGC. Any Request for re-examination shall be notified to the Licence Holder who shall promptly send all relevant information to the HGC.

4.3 The License Holder preserves the right not to respond to completely vague complaints or complaints that are repeated in an excessive manner.

4.4 The License Holder shall not disclose to the complainant any data and information to which a duty to maintain confidentiality and / or secrecy applies in accordance with the applicable provisions.

4.5 Exact time of the complaint submission shall be verified from the time stamp used to bind the complaint to a particular date and time upon its submission to the CIS.

5 Record-keeping - Classification of complaints and submission of reports

5.1 The License Holder shall keep an online file of complaints, fully accessible to the HGC, in a manner established by the Authority, and shall notify the Authority, at its request, of how access to the complaints file shall be achieved.

a. The file shall comprise all data concerning the reporting and classification of complaints, the background of the case, the actions taken to deal with them as well as the implementation time for these actions to be implemented.

b. The Licence Holder shall classify each submitted complaint based on its data and content in one or more of the following thematic categories:

Table 1: Complaints are classified according to the following thematic categories

A/A	Thematic categories
1.	Game odds / betting odds
2.	Cancellation of a wager / bet / event
3.	Exclusion / Temporary abstention

4.	Winnings determination
5.	Bonus-Rewards-Jackpots
6.	Illegal conduct / Match fixing / Unfair partnerships
7.	Cash out / settlement
8.	Commercial communication
9.	Terms of Participation / Accession Agreement / Game Guide
10.	Gaming limits
11.	Payment of winnings
12.	Identification and verification (KYC)
13.	Responsible Gaming
14.	Account blocking
15.	Other

- c. Several complaints are expected to relate to more than one Thematic Categories. For example, it is possible that a dispute over non-payment of winnings is due to KYC procedures that in the player's view should have already been completed while according to the Licence Holder, they remain unfinished. Accordingly, a Complaint concerning Account Blocking may also be related to KYC data that are considered sufficient for the player but insufficient for the Holder. Similarly, cases of non-settlement of bets or non-payment of winnings may be associated with violation of the terms of the Accession Agreement or with cancellations of the offered purchases due to match fixing reports, etc. If the complaint is linked to more than one Categories, the Licence Holder shall link its content to the three most important ones, based on the content of the dispute and in conjunction with the information available for the case. The Licence Holder shall then prioritize the complaint Categories based on the following scale:

Table 2: Thematic categories Prioritization

Priority	Degree of correlation
A	High – Very high
B	Medium- High

C	Low - Medium
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5.5 The Licence Holder shall classify all complaints based on the data resulting from each complaint management. These results shall be classified according to the following scale:

Table 3: Classification of results on complaint management

Value	Indication of the management results
0	Under investigation
1	Settled
2	Settled, despite overdue
3	Pending due to submission to the HGC
4	Settled after submission to the HGC
5	Archived due to ambiguity / vagueness
6	Archived due to late submission
7	Archived due to excessive repetition

5.6 The Licence Holder shall submit a report to the HGC until 31 January of each subsequent year including complaints handled from 1 January to 31 December of the immediately preceding year. For each complaint submitted, the report shall contain all details listed in the table below.

Table 4: Complaint Report

License Holder:

Reporting year:

Serial Num.	Date	Time	Account ID	Category A	Category B	Category C	Results
(1,2, 3.....nth)	d/m/y	HR: MIN:SEC					(value)

2. This is to be posted on the HGC website

Head of the Directorate

Dimitrios Papadopoulos