

Decision No. 79300/ΕΞ2020/20 (Government Gazette 3261/Β of 05-08-2020: Enactment of the Gaming Regulation on Managing Changes to the Central Information Systems (CIS).

THE MINISTER OF FINANCE

Having regard to:

1. The provisions of:

- a) Articles 25 to 54 of Law 4002/2011 amending the state pension legislation - Arrangements for development and fiscal consolidation – Jurisdictional issues within the remit of the Ministries of Finance, Culture & Tourism and Labour and Social Insurance (Government Gazette 180/A), and in particular the provisions of Article 29(3) as well as those of Articles 189 to 203 of Law 4635/2019 on investing in Greece and other provisions (Government Gazette 167/A);
- b) Articles 13, 18, 19 and 41 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);
- c) Articles 357 to 378 of Law 4512/2018 on arrangements for the implementation of the structural reforms of the Economic Adjustment Programmes and other provisions (5/A);
- d) Law 3861/2010 (Government Gazette 112/A) on enhancing transparency through the mandatory posting and disclosure of laws and acts of governmental, administrative and local government authorities on the Internet [the "Diavgeia" (Clarity) Programme] and other provisions, and of Law 3469/2006 (Government Gazette 131/A) on the National Printing Office, Government Gazette and other provisions;
- e) Articles 16 to 23 of Law 3229/2004 on the supervision of private insurance, supervision and control of games of chance, application of the International Accounting Standards and other provisions (Government Gazette 38/A) and in supplement the provisions of Law 3051/2002 (Government Gazette 220/A) on constitutionally established independent authorities, amendment and supplementation of the public sector recruitment system and related regulations (220/A);
- f) Presidential Decree No. 83/2019 (Government Gazette 121/A) on the appointment of a Deputy Prime Minister, Ministers, Deputy Ministers and State Secretaries;
- g) Presidential Decree No. 81/2018 on the transposition of Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on information society services (consolidated version) and other provisions into Greek law (Government Gazette 151/A);

h) Article 34 of the Presidential Decree No. 142/2017 on the organisational structure of the Ministry of Finance (Government Gazette 181/A);

i) Article 90 of the Presidential Decree No. 63/2005 on the consolidation of law on government and government agencies (Government Gazette 98/A) as currently in force;

j) Joint Decision No. 56660/1679/22.12.2011 of the Ministers of Finance and Culture & Tourism confirming the commencement of the Hellenic Gaming Commission (HGC) operations (HGC) (2910/B);

k) Decision No. 2/63389/0004/21.7.2016 (Government Gazette 397/Special Officials and Management Positions of Public Sector and Wider Public Sector Bodies Bulletin) of the Minister of Finance on the appointment of a President and two members and renewal of the term in office of other members of the Hellenic Gaming Commission read in conjunction with similar decisions No. 2/3935/0004/24.7.2018 (Government Gazette 428/Special Officials and Management Positions of Public Sector and Wider Public Sector Bodies Bulletin), No. 01K 9433 EΞ 2019/12.2.2019 (Government Gazette 64/Special Officials and Management Positions of Public Sector and Wider Public Sector Bodies Bulletin) and No. 3557 EΞ 2020/14.01.2020 (Government Gazette 20/Special Officials and Management Positions of Public Sector and Wider Public Sector Bodies Bulletin);

2. HGC Decision No. 461/1/23.01.2020 on a recommendation to the Minister of Finance to enact the Gaming Regulation on Managing Changes to the Central Information Systems (CIS) pursuant to Article 29(3) of Law 4002/2011 (Government Gazette 180/A);

3. The draft ministerial decision on the enactment of the Gaming Regulation on Managing Changes to the Central Information Systems (CIS), which was notified to the European Commission on 19.02.2020, pursuant to the provisions of Presidential Decree No. 81/2018 (Government Gazette 151/A), under reference number 2019/657/GR and end of standstill date on 1 April 2020;

4. HGC Decision No. 490/2/04.06.2020 on a recommendation to the Minister of Finance to enact the Regulation on Managing Changes to the Central Information Systems (CIS), pursuant to Article 29(3) of Law 4002/2011 (Government Gazette 180/A), making changes to the notified draft which do not require further notification to the European Commission pursuant to the provisions of Presidential Decree No. 81/2018 (Government Gazette 151/A);

5. The need for uniform regulation of obligations relating to how changes to the Central Information Systems (CIS) of all game of chance Licence Holders are to be managed;

6. Whereas this decision does not entail any expenditure for the State budget or the HGC budget, we hereby decide:

To enact the Gaming Regulation on Managing Changes to the Central Information Systems (CIS), as follows:

GAMING CENTRAL INFORMATION SYSTEM (CIS) CHANGE MANAGEMENT REGULATION

Article 1

Definitions

For the purpose of implementing this Decision, words and phrases herewith shall have the following meaning:

Licence is the granting of a right to run Games of Chance in any manner by the Greek State to a third party either by a tender process or in any other lawful manner, irrespective of the medium, time, manner and network for the provision, marketing and distribution of the relevant services to organise and run games and the administrative permit issued by the HGC for conducting and/or organising Games.

HGC or Authority shall mean the Hellenic Gaming Commission.

Regulation shall mean this decision.

Licence Holder or Holder shall mean the persons to whom a licence has been granted.

Central Information System (CIS) shall mean all hardware and software needed for the Licence Holder to organise, operate, run, monitor, record, check and centrally manage the Games of Chance.

Instructions shall mean circulars issued by the HGC containing instructions on how to implement the provisions of the Gaming Regulation. The Instructions are binding in the Authority's dealings with citizens.

Certification Body shall mean the certification body which operates a specialised testing lab and has been recognised by the HGC in accordance with the Gaming (Suitability of Persons) Regulations, or a certification body accredited in accordance with the applicable European and/or international standards, by the Hellenic Accreditation System SA or by accreditation bodies in other countries, with which Hellenic Accreditation System SA has signed a mutual recognition agreement.

Regulatory Framework shall mean the Regulations and all legislative and other regulatory provisions, the terms contained in licences laying down the conditions for lawfully organising and conducting of Games within the territory of Greece, as well as Instructions from the HGC.

Significant Change shall mean any change to the CIS which may affect valid certifications and/or result in conditions arising which may pose a risk to the lawful running of Games in accordance with the Regulatory Framework.

Game of Chance or Game shall mean any game of chance, supervision and control of which fall within the remit of the HGC.

Article 2

Scope

2.1. This Regulation aims to lay down the Licence Holders obligations as far as the management of changes made to the Central Information Systems (CIS) is concerned.

2.2. The procedures to be employed for HGC approval of changes shall relate to the CIS of Licence Holders and are divided into the following categories:

- a) Approval of Significant Changes;
- b) Approval of exceptionally urgent Significant Changes.

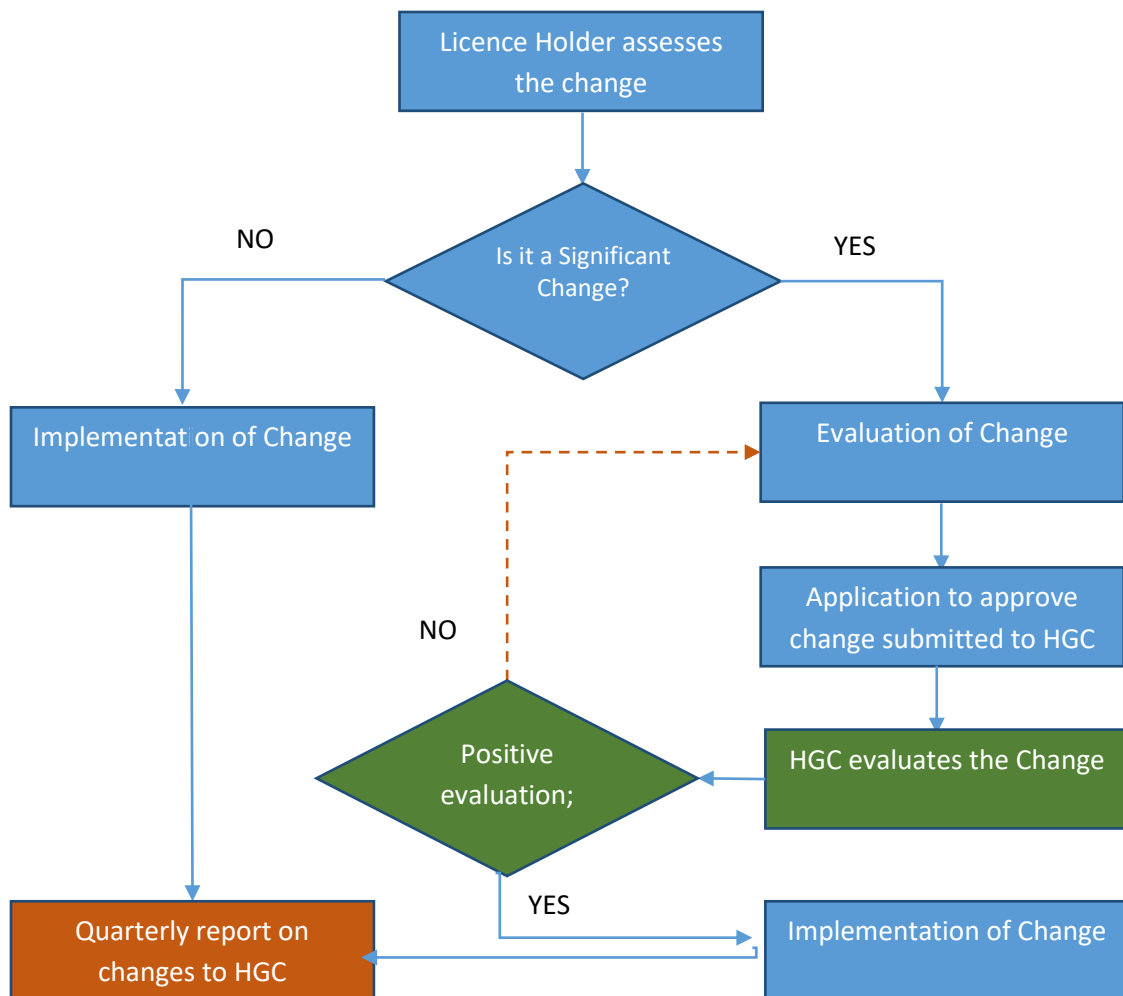
Article 3.

Managing Significant changes

3.1. Managing changes made in the CIS form an integral part of the system's life-cycle. The Licence Holder shall develop and employ a procedure for internally approving all CIS changes, from the request for change to approval thereof, and shall also appoint a change management officer.

The diagram below depicts the process for managing Significant Changes.

Diagram 1. Process for managing Significant Changes



3.2. During the assessment stage, the Licence Holder shall provide a reasoned assessment of the extent to which the impending change is Significant or not. Result of that assessment shall be as follows:

- a) if the conclusion is reached that the change is not Significant, the Licence Holder shall implement the change without submitting an application for approval to the HGC.
- b) if it is concluded that said change is Significant, the Licence Holder shall submit an application for approval to the HGC, along with the reasoned assessment, and should the HGC approve the change, then it can be implemented.

3.3 The criteria the Licence Holder should take into account in assessing that a change is Significant shall be laid down in the HGC Instructions.

3.4 Documentation of the impending change shall be submitted along with the application for approving a Significant Change, which shall be accompanied by:

- a) A report from the Licence Holder which among other things shall describe in detail the necessity of the change, its impacts on the CIS and its functionality, as well as compliance with the Regulatory Framework.
- b) A certification document from the Certification Body that said change complies with the Regulatory Framework.

3.5 The application to approve the change along with the documents and information attached to it shall be submitted to the HGC by the Licence Holder. Within one (1) month upon receiving the application, the Authority shall either approve or reject the application or determine that it is not a Significant Change. Where the HGC fails to respond to the licence holder's application within said time period, it shall be presumed to have tacitly approved it. The Licence Holder is not entitled to implement the requested change in any manner prior to the elapse of that time period.

3.6. Where an Insignificant change has been implemented by the Licence Holder, but the HGC considers it to be Significant, then the Licence Holder shall promptly submit an application to approve the change upon request from the HGC to that effect.

3.7. The Licence Holder shall save the main versions of the software which is implemented on the CIS in the last two (2) years in executable format and shall make these versions available to the HGC.

3.8. The format, content, and method for submitting the application along with the necessary information and supporting documents which shall accompany the application for approval of a Significant Change shall be laid down in the HGC Instructions.

3.9. Any Significant CIS Changes shall be included and documented in the quarterly report.

Article 4

Management of exceptionally urgent Significant Changes

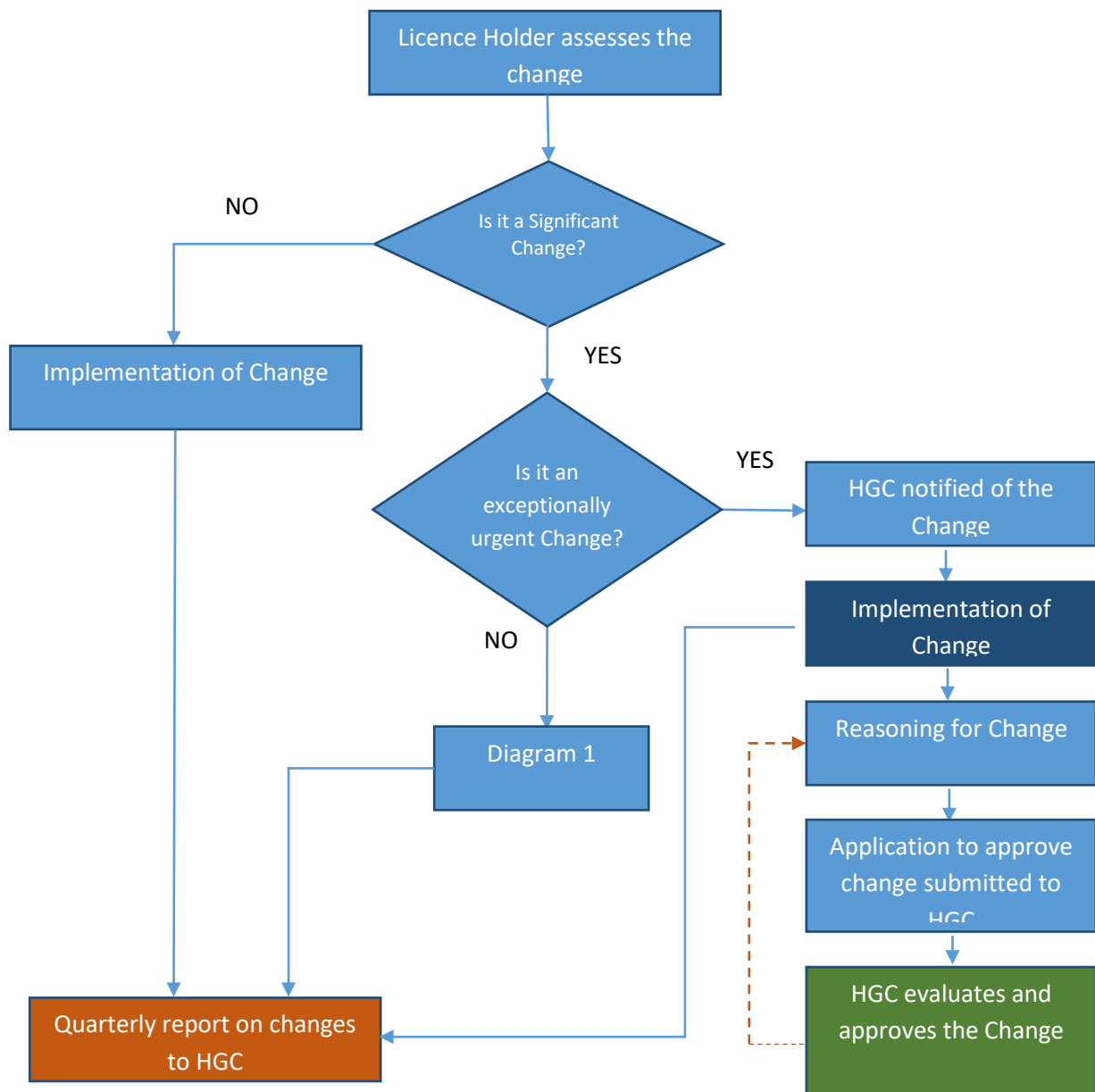
4.1. Where the Licence Holder considers that a Significant Change needs to be implemented exceptionally urgently, he/she shall notify the HGC of this exceptionally urgent Significant Change documenting the impacts on CIS functionality, no later than twenty-four (24) hours once it has been implemented.

4.2. Following notification that the exceptionally urgent Significant Change has been implemented,

the Licence Holder shall promptly submit an application to the HGC to approve the change, pursuant to the provisions of paragraph 3.4 of the Regulation. The Licence Holder's report, which must necessarily accompany the application to approve the change, shall make particular reference to the exceptional circumstances as well as the operational and security risks to the CIS, due to which the change should be implemented immediately.

4.3 The diagram below shows the process for managing exceptionally urgent Significant Changes.

Diagram 2. Process for managing exceptionally urgent Significant Changes



4.4 Any exceptionally urgent Significant Changes made to the CIS shall be included and documented in the quarterly report.

Article 5

Quarterly change report

5.1. The Licence Holder shall submit a CIS change report to the HGC every quarter within ten (10) days from the end of each calendar quarter (JAN-MAR, APR-JUN, JUL-SEPT and OCT-DEC).

5.2. The report to be submitted shall be also accompanied by any evidence and documentation on the impacts affecting the CIS along with all relevant certifications.

5.3. The quarterly change report shall include the following at a minimum:

a) the relevant time period.

b) changes related to each of the following categories:

aa) Significant Changes, following the HCG approval;

bb) exceptionally urgent Significant Changes;

cc) Insignificant Changes; and

dd) Changes considered by the HGC to have been Significant.

5.4. For each change contained in the report, the following information shall be also made available at a minimum:

a) the change ID (unique to each change);

b) the time stamping marking the start and completion of work to implement the change;

c) a description of the change containing:

aa) the reasons that led to the change;

bb) the CIS (sub)systems affected; and

cc) a reference to the relevant provisions of the Regulatory Framework.

d) a reasoned assessment of whether the change is Significant or not.

5.5. The HGC Instructions shall specify the format, content, and method for submitting the report along with the necessary information and supporting documents.

5.6. In all events, irrespective of submission of the quarterly report, all changes, assessments of such as Significant or not, as well as all related documentation about said assessments shall be held, in accordance with the relevant provisions, by the Licence Holder and be made available to the HGC at the time and in the manner specified by the Authority.

Athens, 23 July 2020