

PRIVACY POLICY FOR PARTICIPANTS

1 Introduction

It is the Participant's responsibility to read and understand this Policy in its entirety. If in doubt, the Participant may submit any queries they may have to the Data Protection Officer using the contact details provided in this document.

Compliance with the purpose of the Gaming Contract entails the processing by SELAE of the Participant's Personal Data for the operational, commercial, technical, and legal management of their participation in SELAE games, with aspects associated with the use of the Platform.

The following regulations on the protection of Personal Data are identified, without limitation:

- Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (hereinafter, "**GDPR**").
- Organic Law 3/2018, of 5 December, on the Protection of Personal Data and Guarantee of Digital Rights (hereinafter, "**LOPDGDD**").
- Any complementary, implementing, or replacement regulations that may apply.

The following is information regarding the processing of Personal Data:

2 Data controller

In accordance with applicable regulations, we hereby inform you that the data controller responsible for processing the Participant's Personal Data is SOCIEDAD ESTATAL LOTERÍAS Y APUESTAS DEL ESTADO, S.M.E., S.A. (hereinafter, "**SELAE**"), with Tax ID Number: A-86171964, with registered address at C/ Poeta Joan Maragall, 53, 28020 Madrid. Telephone: 900 11 23 13 / 91 596 23 00 (Customer Service Center).

3 Categories and source of Personal Data

3.1 Data provided by the Participant

In compliance with the principle of data minimisation, SELAE will only request and process Personal Data that is adequate, relevant, and limited in relation to the purposes for which it has been collected.

3.2 Data not provided by the Participant

Apart from the Data provided directly by the Participant, the following Personal Data will be processed:

- IP address and other data necessary to establish telematic communications and control the location of the Participant's device, provided by the internet service provider.
- Device fingerprint data and tracking (such as browser data and other similar technologies).
- Game admission data provided by the Directorate General for the Regulation of Gambling (hereinafter, "**DGOJ**").
- Data generated by SELAE or by the use of the Platform, such as: data and technical identifiers of the gambling account, data on the management of gambling operations, data on the management of their interactions with the User Service Centre (including call recordings), data for compliance with the gambling contract and/or applicable regulations, whether in terms of

gambling, prevention of money laundering, taxation, etc.

- Economic and financial data provided by financial institutions or payment method websites (e.g.: virtual POS): associated identifiers (transfer ID, transaction tokens, etc.), transfers from financial institutions, deposit and withdrawal transactions, etc.

SELAE does not have access to or store payment method data such as the IBAN of the Lotobolsa deposit account or the number, holder or CVV of payment cards.

- Data from competent authorities such as law enforcement agencies, judges and courts, administrations, etc., such as records or notifications sent, seizures, etc.
- Data from verification services owned by the means of payment and/or balance download, when feasible.

Additionally, if you use the mobile application, the following data will be processed:

- Access credentials provided by your device to the mobile application. If the Participant activates biometric authentication on their mobile device (facial or fingerprint recognition), their username and password will be stored in a secure area of their device. The next time you access the mobile application, you will be given the option to authenticate yourself using biometrics. If the biometric recognition on your mobile device is successful, the mobile application will be able to access the credentials stored on your device to identify and authenticate you.

SELAE does not have access to or store the biometric identifiers or parameters used by the Participant on their mobile device.

- Permissions for different app features, such as device geolocation, which is necessary to ensure access or use restrictions outside Spanish territory and to locate the nearest points of sale, use of the camera for the identification and document verification process, or use of the microphone for voice control of the app.

3.3 Data of deceased persons

Although data on deceased persons is considered Personal Data, it is not covered by the GDPR and, with regard to the LOPDGDD, only by Article 3, which confers rights on persons linked to the deceased for family or de facto reasons, as well as on their heirs. However, SELAE will protect them in the same way as all Personal Data, and they will be deleted under the same terms as those corresponding to other forms of termination of the Gaming Contract, applying the corresponding time limits.

4 Consequences of not providing Personal Data

Failure to provide certain Personal Data may result in the following consequences:

- If the Personal Data required to verify the user's identity with the DGOJ, or that required for registration, is not provided, the user will not be able to register, making it impossible to access the Platform to participate in SELAE games online.
- If you do not provide the information necessary to ensure compliance with the legal obligations arising from gaming regulations, SELAE will be forced to suspend your Gaming Account, making it impossible for you to participate in SELAE games.
- Likewise, if the Participant deletes or does not provide the information relating to the associated point of sale, you will not be able to participate in Lotería Nacional.
- If the telephone number is not provided, it will not be possible to use two-factor authentication or receive notifications.

- If the document verification is not carried out properly, the limitations set out in the Gaming Contract will apply.
- Any other restrictions provided for in the applicable regulations or in the gaming Contract.

5 Purposes, legal basis, and recipients

5.1 General description of the purpose

Participants' Personal Data is processed for the marketing of SELAE games and related services included in the Gaming Contract. To this end, your Personal Data is processed:

- In the pre-contractual phase, for the registration of the User on the Platform and the formalisation of the relationship between the parties and, subsequently,
- For the use of the Platform in order to purchase games from SELAE, receive the corresponding prize payments, and receive the requested services, including financial transfers, as well as the operational, technical, commercial, and legal management of the Platform.

This purpose includes all activities necessary to comply with the contract, current regulations, the services requested by the Participant, and the legitimate interests of SELAE.

For further details, by way of example but not limited to, the personal data collected will be processed and communicated for the explicit purposes indicated below, classified according to their main legal basis.

5.2 Legal basis

5.2.1 Contractual necessity

The Participant's Personal Data will be processed by SELAE for the management of the contractual relationship, including, but not limited to, the following services:

- Establishment of the telematic connection and online support.
- Registrations, cancellations and modifications of the contractual relationship.
- Access and use of the Platform.
- Exclusion or suspension after prior cancellation, including, where applicable, termination of the Gaming Contract.
- Installation of technical necessary cookies and other equivalent means.
- Assistance and relationship between the Participant and SELAE: customer service, requests for information, complaints, suggestions, congratulations, and claims.
- Ensuring compliance with the Gaming Contract.

Likewise, participation in SELAE games will require the following processing:

- Lotobolsa management: deposits, withdrawals, voluntary changes to limits, etc.
- Selection and payment of game entries.
- Payment of prizes.

This processing will involve systematic data communications between SELAE and financial institutions (banks and collection/payment instrument managers).

5.2.2 Legal requirement

The Participant's Personal Data will be processed by SELAE for compliance with the applicable regulations in each case, including, but not limited to, the following purposes:

- Control and monitoring of compliance with gambling regulations during registration and maintenance of the gambling contract, for example: identification, documentary verification, control of failed registrations, non-application of causes of exclusion to the legally established participation at all times, management of the exclusion of the participant, management of the limit on deposits, participation in the system of joint deposit limits per DGOJ player, identification and management of potential intensive or risky gambling behaviors, collaboration in the fight against fraud, including, when feasible, the verification of ownership of the means of payment and/or downloading of balance through banking entities or technological intermediaries, as well as the identification of irregular or suspicious sports betting, the detection of death and the possible exclusion or suspension after the previous withdrawal.

Compliance with this purpose will involve the transfer of data to the DGOJ of the participant's identity, and its verification, of game control, of the joint limit of deposits and participation in the game, including user registration and their game account.

If applicable, these purposes will also respond to the fulfillment of a mission of public interest or even essential public interest, in accordance with the specific regulations in force and applicable.

- Support for responsible gambling of the participant, through invitations to surveys or other activities sent to participants by legal obligation.
- Geographical blocking based on the User's location. This geo-blocking may be partial (registration on the Platform, deposit of Lotobolsa, and purchase of shares) or total (access to the Platform) when the User's location corresponds to a country that imposes this limitation.
- Prevention of money laundering and terrorist financing. As part of the due diligence measures required by the regulations, SELAE will draw up a profile of the participant's risk level, taking as a reference the data provided and their activity on the gaming platform. Depending on this risk level, the rest of the measures required by the regulations will be applied.

In the cases provided for in the applicable regulations, Personal Data and other relevant information will be communicated to the Executive Service of the Commission for the Prevention of Money Laundering and Monetary Offenses (SEPBLAC, by its initials in Spanish).

- Making the corresponding withholding of prizes and communicating the relevant information to the competent authorities for compliance with tax regulations.
- Answering the requirements of the competent authorities (e.g. State Security Forces and Bodies, Courts and Tribunals, Public Prosecutor's Office, Court of Auditors, etc.).
- External audit services, when acting as data controllers, such as account auditors.

This purpose involves non-systematic communications to external auditors depending on the scope of the audit.

- In the event of the Participant's death, attention to the rights of persons linked to the deceased for family, legal, or factual reasons.
- Any other processing derived from compliance with current regulations at any given time.

5.2.3 Consent

Personal Data will be processed by SELAE to provide the services requested or consented to by the Participant:

- Sending informative communications about results, upcoming draws, and other additional services.
- Sending commercial communications about new products and services.
- Sending surveys not based on legal obligation.

For these purposes, the User's contact details (email address, mobile phone number, and/or device identifier for notifications via the mobile application). When the means of delivery selected by the User allows it, confirmation of reading and access to links may be obtained for statistical purposes through the use of technical mechanisms designed for this purpose. In the case of email communications, the User may prevent this information from being obtained by configuring their email manager to not download images and by not accessing the links contained in the communication.

Likewise, SELAE will process the Participant's Personal Data to provide any other additional service requested or consented to through the Platform, processing in all cases the minimum and essential data necessary for this purpose.

5.2.4 Legitimate Interest

Personal Data will be processed by SELAE to satisfy legitimate interests associated with the functionality, quality, and security of the Platform, including, but not limited to:

- Prevention, detection, stopping, analysis, and management of potential security incidents.
SELAE considers this processing to be legitimate in accordance with the provisions of recital 49 of the GDPR.
- Data dissociation activities, statistical studies, and analytics/big data.
SELAE considers this processing to be legitimate since it uses data that is already available, previously anonymised or pseudonymised without the intention of reidentifying users, for internal analysis and improvement purposes.
- Internal and external reviews (when external auditors do not act as data controllers).
SELAE considers this processing to be legitimate when the Participant's data is relevant to review and/or audit processes (e.g., as documentary evidence of the findings of the process).
- Management of the Assisted Top-up service, which involves the payment service provider providing SELAE with a code (token) that will allow the Participant to make new Lotobolsa top-ups on the last payment card used without SELAE storing or having knowledge of the details of the card.
SELAE considers this processing to be legitimate because it provides convenience for the User without entailing any greater risk associated with the processing. The User can deselect this option when they do not wish to use the Assisted Top-up service. Likewise, the User can exercise their right to object to this processing through the means described in this document.

5.3 **Profiling and automated processes**

No profiles will be created that are not required by applicable regulations. In this regard, at the time of registration and during the term of the contractual relationship, the following automated processes will be carried out, which will assist qualified personnel:

- Verification of the data provided by the User with the DGOJ and, following its instructions, rejection or acceptance of the User's registration.
- Verification of identification documentation.

- Verification of inclusion in the General Register of Gambling Access Prohibitions (hereinafter, “**RGIAJ**”, by its initials in Spanish).
- Verification of inclusion in the Register of Participants Linked to the Gambling Operator (hereinafter, “**RPVOJ**”, by its initials in Spanish).
- Assessment of the level of risk in accordance with anti-money laundering regulations.
- Checking for breaches of the Gaming Contract or applicable regulations.
- Automatic deletion of users who remain completely inactive during the period indicated in the Gaming Contract.
- Detection of risky user behaviour and other obligations arising from applicable regulations.
- Verification that the Participant is not subject to suspension or cancellation in accordance with the provisions of the Gaming Contract.

In addition to the above, during the term of the Gaming Contract, there may be temporary situations of unavailability or disabling of access to all or some of the Platform’s features, in situations such as: exceeding the maximum number of log-in attempts, passwords in quarantine, password changes in progress and similar disruptions.

If the User does not agree with any of these decisions, they may exercise the right to object through the means indicated in this document.

6 Processing and storage periods

SELAE informs the Participant that their data will be processed for the duration of their relationship with SELAE.

Once the contractual relationship has ended (and the procedures associated with this termination have been completed), the Participant’s data will be blocked and will only be kept available to the competent authorities for the purpose of addressing any liabilities arising from the processing and/or the underlying legal relationship, during the limitation period for such liabilities, in accordance with civil, commercial, tax, administrative, and data protection legislation, and for SELAE’s legal defence.

In the event that SELAE limits, suspends, or cancels the Participant’s Gaming Account in accordance with the provisions of the Gaming Contract or applicable regulations and the User subsequently requests the termination of the contractual relationship, SELAE may retain the minimum data necessary to maintain such restrictions, even if the Participant intends to re-register on the Platform.

For guidance purposes, the limitation periods for the main legal liabilities applicable to the processing of the Participant’s Personal Data are indicated below:

- 30 years: In accordance with the provisions of the Civil Code, in relation to claims by heirs of a deceased participant.
- 15 years: In accordance with the provisions of Articles 31.bis, 33.7.f) and 131 of the Criminal Code.
- 10 years: In accordance with the provisions of the regulations on the prevention of money laundering, as well as those on the protection of whistleblowers.
- 6 years: In accordance with the provisions of gaming regulations and commercial regulations.
- 5 years: In accordance with the provisions of the Civil Code, in relation to civil liability.
- 4 years: In accordance with the provisions of tax regulations.

- 3 years: In accordance with the provisions of data protection regulations.

Notwithstanding the foregoing, SELAE may process blocked data in order to comply with the Participant's right of access to personal data.

7 Exercise of rights

Users have the right to request SELAE to exercise their rights in relation to their Personal Data.

SELAE, as the data controller, guarantees users the exercise of their legally established data protection rights, under the terms described in the applicable regulations, which are as follows:

- Access: Users may access their Personal Data at any time and request information regarding the processing of their Personal Data by SELAE.
- Rectification: Users have the right to request the rectification of Personal Data when it is inaccurate or incomplete. When Participants have exercised their right to restrict access to their Gaming Account (self-exclusion) for a period determined by the Participant from among the pre-established options, this suspension will be irrevocable during that period and it will not be possible to rectify this information.
- Deletion: Users may request that their Personal Data be deleted and no longer processed if it is no longer necessary for the purposes for which it was collected or if they withdraw their consent, if it has been processed unlawfully or if it is otherwise legally established.

It will not be possible to delete the Participant's Data or cancel the User Registration and Gaming Account Participant's request, as long as the Participant has active bets and/or a balance in their Gaming Account. In this case, the Participant requesting deletion must wait until the draw or event in which they are participating has taken place and any prizes to which they may be entitled have been collected before their deletion can take effect. Prior to deletion, the Participant may request SELAE to transfer the balance in their Gaming Account to a bank account held by them at a financial institution authorised to operate in Spain, or expressly and irrevocably waive that balance. In accordance with the provisions of the Gaming Contract, SELAE will not pay prizes into accounts that have not been verified by the Participants.

- Restriction: Users shall have the right to request the restriction of the processing of their Personal Data when legally established.
- Objection: Users may object to the processing of their Personal Data for the purpose of sending commercial communications or when legally established.
- Portability: Users shall have the right to receive their Personal Data in a structured, commonly used, and machine-readable format, and to transmit it to another data controller.
- Withdrawal of consent: When consent is the legal basis for processing, the Participant may withdraw their consent at any time. The withdrawal of consent shall not affect the lawfulness of processing based on consent prior to its withdrawal. In addition to the modification on the Platform vi self-service through the corresponding selection panel, the User Support Center, or the Data Protection Officer are also at your disposal.
- Exclusion from automated decisions and to request the right to human intervention, express their point of view, or challenge the decision, provided that it has not been made in compliance with a legal obligation.
- Any other rights set forth in current regulations.

Users may exercise their rights by proving their identity and submitting a request through the means of contact with SELAE, indicated in the following section:

8 Submission of complaints and requests for Data Protection

If the Participant considers that SELAE has processed their personal data inappropriately, they may file a complaint with the Spanish Data Protection Agency (www.aepd.es).

Likewise, if the Participant wishes to exercise any of their data protection rights, make an inquiry, or file a complaint, they may do so with the Data Protection Officer (DPO) appointed by SELAE through the following means:

- Postal mail: SELAE, Registry, attention “Data Protection”, C/Poeta Joan Maragall 53, 28020 Madrid.
- E-mail address: <https://www.loteriasypuestas.es/es/contacto-proteccion-datos>.