

ORDINANCE SPA/MF NO. 1,231, OF JULY 31, 2024

Establishes rules and guidelines for responsible gaming and for communication, advertising and marketing actions, and regulates the rights and duties of bettors and operating agents, to be observed in the commercial operation of the lottery modality of fixed-odds betting referred to in article 29 of Law No. 13,756, of December 12, 2018, and Law No. 14,790, of December 29, 2023.

THE SECRETARY OF PRIZES AND BETS OF THE MINISTRY OF FINANCE, in the exercise of the powers conferred by article 55, item I, paragraph "d", of Annex I of Decree No. 11,907, of January 30, 2024, and in view of the provisions of article 29, paragraph 3, of Law No. 13,756, of December 12, 2018, in Law No. 14,790, of December 29, 2023, and in MF Normative Ordinance No. 1,330, of October 26, 2023, resolves:

CHAPTER I - PRELIMINARY PROVISIONS

Art. 1. This Ordinance establishes rules and guidelines for responsible gaming and for communication, advertising and marketing actions, and regulates the rights and duties of bettors and operating agents, to be observed in the commercial operation of the lottery modality of fixed-odds betting, which are dealt with in article 29 of Law No. 13,756, of December 12, 2018, and Law No. 14,790, of December 29, 2023.

Art. 2. For the purposes of this Ordinance, the following shall be considered:

I - responsible gaming: the set of rules, practices and activities aimed, in the context of the fixed-odds betting lottery modality, at ensuring the following:

a) economic exploitation, promotion and healthy and socially responsible advertising of this modality; and

b) prevention and mitigation of individual or collective harm resulting from the activity, including:

1. negative consequences to the bettor's mental health due to dependence, compulsion, mania or any disorder associated with gaming or betting, such as pathological or abusive gaming;

2. negative consequences on the bettor's physical health;

3. violations of consumer rights, especially associated with financial problems, indebtedness and over-indebtedness; and

4. Social problems.

II - betting platform: electronic channel integrated with the betting system used to offer sports betting and online games to bettors;

III - regulator: body responsible for regulating, authorizing and supervising activities related to fixed-odds betting, corresponding to the Secretariat of Prizes and Bets of the Ministry of Finance;

IV - registered account: deposit or prepaid payment account, owned by the bettor, maintained in a financial or payment institution authorized to operate by the Central Bank of Brazil, used as the origin of financial contributions and as the destination of

the prizes received and the withdrawals of financial resources made by the bettors with the operating agent;

V - inactive account: bettor's account with a fixed-odds betting operator that does not place bets for a period of ninety days;

VI – affiliates: individuals or legal entities that advertise for betting operator agents, through compensation, even if not financial, linked to results, such as the number of bettors captured or the amounts deposited or spent;

VII – online gaming provider: legal entity that, directly or indirectly, provides online games to betting operators;

VIII – betting intermediary: user registered in a betting system who places third-party bets on his own account, settling bets outside the system made available by the betting operating agent;

IX - betting exchange: category in which bettors bet against each other and the multiplier value of the bet - odd - is defined between them and not by the betting operator, who may charge commission on the net profit of the winning bet;

X – rocket texts: a short-term message in which an advertising message is transmitted with the objective of publicizing the commercial brand;

XI – authentication: identity verification process for registration or access of the bettor to the system of the fixed-odds betting operator agent;

XII - rewards: any type of prize, in cash, points, free bets or other lawful form, which is part of a loyalty program or which aims to repay previously established conducts of the bettor, except for the conducts prohibited by article 29, head, item I, of Law No. 14,790, of December 29, 2023;

XIII - early withdrawal - cash out: a way of anticipating the closing of the bet, at the initiative of the bettor, making him entitled to a fraction of the prize;

XIV - Terms and Conditions: document that brings together rules governing the contractual relationship between the betting operator and the bettor;

XV – investigation process: process initiated within the scope of the betting operator agent to verify the occurrence of a legal or regulatory infraction, committed by the bettor against the operating agent, or by the latter against the bettor, the regulator or any public authority, or any of these two against sports integrity;

XVI – primary sports betting market: bets on the final result or the difference in score of a sporting event;

XVII – secondary sports betting market: any type of bet related to a sporting event that is not part of the primary market;

XVIII – betting system: computerized system managed and made available by the betting operator to bettors that enables the registration of bettors, the management of their virtual wallets and other functionalities necessary for the management, operation and commercialization of fixed-odds bets;

XIX – sponsorship: communication action that is carried out through the acquisition of the right of association of the sponsor's brand or products and services to a project initiated by a third party, through the execution of an onerous contract;

XX - theoretical return to player– RTP: percentage of gain programmed by the betting operator for the betting system, in relation to the total value of bets placed on a certain number of events or period, and which serves as a measure of aggregate and theoretical return of the betting system, and cannot be interpreted as an expectation of individual gain of the bettor per bet;

XXI – internet applications: the set of functionalities that can be accessed through a terminal connected to the internet, including video portals, social networks, search engines, artificial intelligence platforms or programmatic advertising;

XXII – specific self-exclusion: voluntary request by the bettor for the exclusion of his registration made directly in the betting system of a specific betting operator; and

XXIII - centralized self-exclusion: voluntary request by the bettor made on the platform maintained by the Secretariat of Prizes and Bets for exclusion and impediment of registration in the betting system of all betting operators.

Sole Paragraph. Specific self-exclusion and centralized self-exclusion may be carried out for a fixed period or an indefinite period.

CHAPTER II - RESPONSIBLE GAMING RULES AND GUIDELINES

Section I - Duties of the Betting Operator Agent to Guarantee Responsible Gaming

Art. 3. For the purpose of implementing responsible gaming, the betting operator shall:

I - act diligently in structuring its betting system, all advertising, advertising and marketing actions, as well as its physical or electronic channels, in order to:

- a) respect the precepts of responsible gaming;
- b) to prevent addiction and pathological gaming disorders; and
- c) ensure compliance with the prohibition of betting by children and adolescents;

II - to promote awareness about the risks of addiction, pathological gaming disorders and the prohibition of betting by children and adolescents through:

- a) collaboration with educational campaigns in the sector aimed at society in general and groups at risk of addiction and pathological gaming disorders; and
- b) carrying out its own educational actions and campaigns with its potential consumer public;

III - maintain systematic communication with registered bettors, according to its responsible gaming policy, warning about responsible gaming, risks of addiction and pathological gaming disorders, forms of prevention and treatment alternatives; and

IV - to develop the responsible gaming policy and ensure that it faithfully reflects the actual functioning of its betting system.

Art. 4. In the betting system, for the purpose of implementing responsible gaming, the betting operator shall:

I - inform the bettor, at the time of registration, as well as at the time of access to the betting system, about the risks of addiction, pathological gaming disorders and loss of bet amounts;

II - inform the theoretical return to the player of each online game made available in the betting system;

III - provide guidance on warning signs for self-vigilance regarding the risk of dependence and pathological gaming disorders;

IV - enable bettors to:

- a) the adoption of a prudential betting limit per total amount deposited or amount of bets, linking such limits to daily, weekly, monthly or other periods;

- b) the option for scheduling, in the betting system, alerts or blocks of use, according to the time elapsed in the bettor's session;
- c) the adoption of pause periods, in which the bettor will have access to the account, but will not be able to place bets;
- d) request specific self-exclusion in the betting system, for a definite or indefinite period, in which the bettor will have his account closed, and will only be able to re-register after the end of the defined period; and
- e) request centralized self-exclusion, for a definite or indefinite period, through a link to the platform maintained by the Secretariat of Prizes and Bets, which must be available in the betting system clearly and prominently.

V - ensure a self-exclusion mechanism in the betting system, for a fixed or indefinite period;

VI - monitor the behavior of bettors regarding the risk of addiction and pathological gaming disorders;

VII - suggest, regardless of request, the adoption of prudential limits associated with alerts or blocks, the performance of a self-test or the adoption of a self-exclusion mechanism for all bettors and users of the platform, according to the profile classification contained in its responsible gaming policy;

VIII - suspend the use of the betting system by bettors at high risk of addiction and pathological gaming disorders, in accordance with its responsible gaming policy;

IX - make available, in a clear and accessible manner, a specific section of "responsible gaming" in the betting system, with the following minimum content:

- a) guidance on how to gamble responsibly and on risks associated with betting, including addiction, pathological gaming disorders and other problems associated with gaming;
- b) offering a self-assessment questionnaire on risks associated with betting, including addiction, pathological gaming disorders and other problems associated with gaming;
- c) indication of "warning signs" for self-surveillance regarding the risk of dependence and pathological gaming disorders;
- d) clear instructions for the bettor's access to preventive mechanisms of addiction and pathological gaming disorders, his history and his current situation on the website regarding time and amounts spent on bets; and
- e) information and channels for the protection of the bettor;

X - maintain a permanent information panel with easy access, with data from the graphical account, detailing the time of use of the system, financial losses incurred and available financial balance;

XI - implement alerts on the activity time of bettors, according to criteria and periodicity defined in its responsible gaming policy;

XII - indicate the service and ombudsman channels for bettors, which must be accessible through the internet, including to guide bettors at risk of addiction and pathological gaming disorders and their families regarding obtaining help and treatment;

XIII - to ensure, in the case of the physical modality, the service and ombudsman channels also in person;

XIV - to make available, in the case of physical modality, information on responsible gaming in the establishments of the betting operator agent in a visual and easy-to-read way;

XV - to refrain from entering into a partnership, agreement, contract or any other form of arrangement or business adjustment to enable or facilitate access to credit or the operation of commercial development by the bettor; and

XVI - require the bettor, at the time of registration, to adopt prudential betting limits for financial loss and elapsed time, linking such limits to daily, weekly, monthly or other periods.

Paragraph 1. The use in betting systems of artifices that hinder the free and informed option of the bettor by any of the mechanisms provided for in the regulation is prohibited, including the use of the design of technological products that delay the free option of the bettor.

Paragraph 2. Requests made by the bettor for an increase in prudential limits or suspension of break periods may only be implemented by the betting operator after twenty-four hours from its request, provided that it does not violate the responsible gaming policy.

Paragraph 3. In the case of self-exclusion, the operating agent may adopt a period of more than twenty-four hours, according to its responsible gaming policy, to accept the necessary new registration, if the bettor tries to be reincluded.

Paragraph 4. The betting operator must inform the bettor of the possibility of centralized self-exclusion, by providing the link referred to in item "e" of item IV herein.

Art. 5. The betting operator must maintain a responsible gaming policy, which provides:

I - educational actions and campaigns;

II - communication policy with the bettor on responsible gaming, including information on the frequency of communication;

III - analytical tools and methodology for classification and data analysis to monitor and evaluate the risk profiles of bettor addiction, pathological gaming disorders and other problems associated with gaming;

IV - rules and channels for the use of mechanisms to prevent bettors' dependence and pathological gaming disorders; and

V - forms of assistance to bettors who need help related to addiction and pathological gaming disorders.

Art. 6. In the structuring of their internal corporate policies, the operating agents must instruct and train:

I - its employees, including outsourced workers, who interact directly with bettors, to ensure that they understand the problems associated with addiction and pathological gaming disorders and know how to guide bettors on the subject; and

II - its partners, managers, employees, suppliers and service providers, so that they know the precepts of responsible gaming, particularly regarding the individual and collective negative externalities of the activity, and so that they ensure a socially responsible and ethical economic exploitation.

Art. 7. In order to contribute to the permanent regulatory improvement regarding responsible gaming, betting operators must:

I - evaluate the possibility of obtaining certification on responsible gaming, issued by an organization that offers certification procedures on the subject; and

II - in case of offering the bettor optional mechanisms to accelerate bets, such as automated bids or concomitant sessions, act with caution and permanently evaluate the impact of the mechanism on the incidence of addiction, pathological gaming disorders and other problems associated with gaming.

Article 8 It is the duty of the betting operator to prevent registration or use of its betting system by:

I - under eighteen years of age;

II - owner, administrator, director, person with significant influence, manager or employee of the operating agent;

III - public agent with attributions directly related to the regulation, control and inspection of the activity within the federative entity in whose staff he exercises his competences;

IV - person who has or may have access to the computerized systems of fixed-odds betting lottery;

V - person who has or may have any influence on the result of a real sports-themed event that is the object of a fixed-odds betting lottery, including:

a) a person who holds the position of sports director, sports technician, coach and member of the technical commission;

b) sports referee, assistant referee of sports modality, or equivalent, sports entrepreneur, agent or attorney of athletes and coaches, coach or member of the technical commission;

c) member of the management or supervisory body of the management entity of a competition or sports event organizer; and

d) athlete participating in competitions organized by the entities that are part of the National Sports System.

VI - person diagnosed with ludopathy by a report of a qualified mental health professional; and

VII - people prevented from betting by a specific administrative or judicial decision, when formally notified.

Art. 9. The Secretariat of Prizes and Bets of the Ministry of Finance, together with public or private bodies or entities, may establish guidelines for educational and awareness campaigns regarding the risks of addiction and pathological gaming disorders, and the collaboration of betting operators is mandatory.

CHAPTER III - COMMUNICATION, ADVERTISING AND MARKETING ACTIONS OF THE FIXED-ODDS BETTING LOTTERY

Section I - Guidelines and Rules for Communication, Advertising and Marketing of Betting Operator Agents

Art. 10. The communication, advertising and marketing actions of the fixed-odds betting lottery must be guided by social responsibility and the promotion of

awareness of responsible gaming, aiming at collective security and the fight against illegal betting.

Art. 11. Betting operators, in any communication, advertising and marketing actions, including those published on other application providers, contracted with affiliates or included in their own websites and applications, must:

I - refrain from broadcasting any type of advertising of unauthorized betting modalities;

II - to comply with the precepts of responsible gaming;

III - adopt clear and socially responsible language, always respecting the protection of minors under eighteen years of age and other vulnerable groups;

IV - ensure that the message of communication, advertising and marketing actions sent by electronic means, without the recipient's request, is clearly and unambiguously identifiable, allowing and respecting requests for removal from the list of recipients made by people who do not wish to receive this type of communication;

V - use the word "free" or expressions with the same meaning in any communication, advertising and marketing action only when there is no onerous condition for the bettor to obtain the promised free of charge;

VI - offer bettors, at the time of registration, the option to join or not to receive communication, advertising and marketing actions, and ensure that they can change their preference in the betting system; and

VII - refrain from forwarding advertising material to bettors who have requested their self-exclusion and to those excluded by court decision.

Sole Paragraph. The duty referred to in item VII herein applies both to specific self-exclusion and to centralized self-exclusion.

Art. 12. Communication, advertising and marketing actions of fixed-odds betting lotteries that:

I - suggest the achievement of easy gain or associate the idea of success or extraordinary skills with betting;

II - present the bet as socially attractive or contain statements by well-known personalities or celebrities that suggest that the game contributes to personal or social success or to the improvement of financial conditions;

III - encourage excessive betting practices;

IV - contain calls to action, suggesting immediate action by the bettor;

V - present the bet as a priority in life;

VI - establish a link between betting and personal and financial success;

VII - link betting to illegal or discriminatory attitudes or behaviors;

VIII - contain false or misleading information;

IX - are broadcast in places:

a) medical and psychological care;

b) intended for all levels of education; and

c) others intended for the attendance of persons under eighteen years of age;

X - convey misleading statements about the probabilities of winning;

XI - use messages of a sexual nature or the objectification of physical attributes;

XII - promote the use of the product as a means of recovering amounts lost in previous bets or other financial losses;

XIII - contribute, in any way, to offend cultural beliefs or traditions of the country, including those contrary to betting;

XIV - suggest or induce the belief that:

a) betting is an act or sign of virtue, courage, maturity or associated with personal or professional success or success;

b) refraining from betting is an act or sign of weakness or associated with any negative quality;

c) the bet can constitute a solution to social, professional or personal problems;

d) the bet may constitute an alternative to employment, a solution to financial problems, a source of additional income or a form of financial investment; and

e) skill, dexterity or experience may influence the outcome of a bet on a sporting or online gaming event;

XV - include the participation of a person who is or appears to be under eighteen years of age;

XVI - are directed to children or adolescents or that have this audience as their target audience;

XVII - are broadcast in the media or in programs where people under eighteen years of age constitute the main audience or on a website with an audience profile of children under eighteen years of age;

XVIII - use images of children and adolescents or elements particularly appealing to those under eighteen years of age; and

XIX - associate bets with cultural activities of children and adolescents.

Art. 13. All communication, advertising and marketing actions by betting operators, including any type of piece, material or insertion, including in a digital environment, must display the following warning clauses:

I - age restriction, with symbol "18+" or warning "prohibited for minors under 18 years of age"; and

II - on the associated risks of addiction and pathological gaming disorders.

Paragraph 1 - The warning clauses must be clear, legible and proportional to the rest of the communication and advertising action and have a minimum of 10% (ten percent) of the length or size of the advertisement, depending on the type of media.

Paragraph 2 - Warning clauses shall, when possible depending on the characteristics of the communication action, be conveyed in spoken and written format.

Paragraph 3 - The warning clauses must contain:

I - the printed tickets referred to in article 14, item II, of Law No. 14,790, of December 29, 2023; and

II - of the websites and applications of the betting operator, on the opening page and in a legible manner.

Art. 14. Warning clauses and other guidelines and restrictions may, in addition, be provided for in the advertising self-regulation code.

Art. 15. All communication, advertising and marketing actions on fixed-odds betting, broadcast in any type of online or offline media, onerous or free, must be identifiable

as such by the bettor, under the terms of article 36 of Law No. 8,078, of September 11, 1990 - Consumer Protection Code.

Paragraph 1 - The provisions herein apply to promotional, sponsorship, merchandising and testimonial advertising actions, including in the proper communication channels, such as websites, portals, blogs and social networks.

Paragraph 2 - In order to comply with the provisions of the head of this article, the identification as "advertising report", "publicity" or other term that expresses its commercial nature may be explicitly included.

Paragraph 3 - All advertising must contain the number of the ordinance of the Secretariat of Prizes and Bets of the Ministry of Finance that authorized the commercial operation of the fixed-odds betting lottery by the betting operating agent.

Art. 16. The betting operator must be part of or associated with a responsible advertising monitoring body.

Section II - Sponsorship

Art. 17. In actions in which it appears as a sponsor, without prejudice to the other provisions of this Ordinance regarding communication, advertising and advertising and marketing of fixed-odds betting, the betting operator must:

I - clearly identify itself as the sponsor of the sponsored actions; and

II - to refrain from:

- a) sponsor children or adolescents;
- b) seek to influence or encourage children or adolescents to bet;
- c) sponsor events aimed mainly at children or adolescents; and
- d) sponsor youth or children's teams.

Paragraph 1 - In the event of sponsorship by a betting operator, its logo must not be included in articles and goods whose sale is intended for minors under eighteen years of age.

Paragraph 2 - Items intended for adults may only be made available to minors under eighteen years of age if there is no reference to the betting operating agent.

Art. 18. Only betting operators with authorization granted by the Secretariat of Awards and Bets of the Ministry of Finance will be able to promote their brands through advertising or sponsorship of the national sports team, in events with national dissemination.

Sole Paragraph. Betting operators with authorization granted by the States and the Federal District may carry out advertising or sponsorship of the national sports team, provided that the advertising or sponsorship, in physical, electronic or virtual media, is restricted to people physically located within the limits of their districts or to those

domiciled in their territory, observing the provisions of article 35 - A of Law No. 13,756, of December 12, 2018.

Section III - Procedure for the Exclusion of Irregular Advertising and Sponsorship

Art. 19. In the event of communication, advertising and advertising, marketing and sponsorship actions that contravene the provisions of this Ordinance, the Secretariat of Prizes and Bets of the Ministry of Finance will notify the operating agent and, if applicable, also the internet application provider, within the scope and limits of its service, clearly and specifically pointing out the infringing content for its due cancellation, removal or unavailability.

Section IV - Prohibition of Offering Applications or Advertising of Unauthorized Operating Agent

Art. 20. Communication, advertising and advertising, marketing and sponsorship actions are prohibited, including the availability of applications or websites, by individuals or legal entities, that explore the lottery modality of fixed-odds betting nationwide without authorization issued by the Secretariat of Prizes and Bets of the Ministry of Finance.

Paragraph 1 - The electronic channels used by the operating agent to offer fixed-odds bets in a virtual environment must exclusively use "bet.br" domain registration.

Paragraph 2 - The Betting Secretariat of the Ministry of Finance shall keep available on the website of the Ministry of Finance an updated list of authorized fixed-odds betting agents, containing:

I - the numbers of the National Registry of Legal Entities - CNPJ; and

II - the trademarks and respective electronic channels with ".bet.br" domains associated with them.

Paragraph 3 - Companies that disseminate advertising or advertising, including internet application providers, shall exclude irregular disclosures and campaigns after notification from the Secretariat of Prizes and Bets of the Ministry of Finance.

Paragraph 4 - Companies providing internet connection and internet applications must block websites or delete applications that offer the fixed-odds betting lottery in disagreement with the legislation and regulations in force, after notification from the Secretariat of Prizes and Bets of the Ministry of Finance.

Paragraph 5 - Internet application providers that offer third-party applications shall exclude, within the scope and technical limits of their service, applications that have as their object the operation of the fixed-odds betting lottery in disagreement with the legislation and regulations in force, after notification from the Secretariat of Prizes and Bets of the Ministry of Finance.

Paragraph 6 - The notification provided for in paragraphs 4 and 5 must contain clear and specific identification of the content pointed out as infringing, which allows the unequivocal location of the content when it is an internet application provider that hosts third-party content.

Section V - Advertising Actions of Affiliates to Operating Agents

Art. 21. Betting operators are jointly and severally liable for the communication, advertising and marketing actions carried out by affiliates.

Sole Paragraph. Betting operators and their affiliates must comply with all legal and regulatory provisions related to advertising, subject to the penalties provided for in Law No. 14,790, of December 29, 2023, and Law No. 8,078, of September 11, 1990 - Consumer Protection Code.

Art. 22. Communication, advertising and marketing actions carried out by affiliates are considered part of the actions of the betting agent, and it is up to them to:

I - ensure compliance, by its affiliates, with the legislation, regulations and good self-regulatory practices related to the lottery modality of fixed-odds betting; and

II - to sign written contracts with its affiliates, in Portuguese, which expressly specify:

a) the admission or not of the possibility of subcontracting, in which case the liability of the operating agent cannot be excluded;

b) the duty of affiliates to comply with the legal, regulatory and self-regulation rules of communication, advertising and advertising and marketing; and

c) the criteria for compensating affiliates.

Sole Paragraph. Betting operators must keep at the disposal of the Secretariat of Prizes and Bets of the Ministry of Finance the contracts referred to in item II of the head of this article.

CHAPTER IV - RIGHTS AND DUTIES OF THE BETTOR

Section I - Bettor's Rights

Art. 23. The bettor's rights are:

I - to bet freely, without coercion and in a safe and responsible manner, observing the legal and regulatory provisions;

II - to be recognized as a user of public service for the purposes of the provisions of Law No. 13,460, of June 26, 2017;

III - express their express will regarding the processing of personal data by the betting operator at the time of registering their account;

IV - have easy and transparent access to the Customer Service - SAC, which must be made available by the betting operating agent;

V - to be informed about the fixed quotas of sporting events and online games offered;

VI - have access to the history of their financial transactions with the betting operating agent, with information on contributions and withdrawals of financial resources, the amounts of bets placed and prizes received;

VII - close their account in the betting system in a simplified manner, including in cases of self-exclusion;

VIII - freely choose between the possibilities of alerts, pause periods and self-exclusion;

IX - to be informed, in a clear and objective manner, about the rules for the use of the service, especially when they are related to the contribution and withdrawal of financial resources;

X - withdraw their available financial balance held in the transactional account, with registration in the graphic account, without restriction by the betting operating agent;

XI - request specific self-exclusion in the betting system of the betting operator, for a definite or indefinite period; and

XII - request centralized self-exclusion, for a fixed or indefinite period:

a) through the platform maintained by the Secretariat of Prizes and Bets; or

b) through a link to the platform maintained by the Secretariat of Prizes and Bets, available in the betting system of the betting operator." (NR)

Paragraph 1 - The bettor's rights referred to in items I and II of the head of this article do not exclude the prerogative of the betting operator agent to refuse, restrict or limit bets in order to comply with the legal and regulatory provisions in force, as provided for in its responsible gaming policy.

Paragraph 2 - The bettor's right referred to in item X of the head of this article does not exclude the prerogative of the betting operator agent to temporarily restrict the withdrawal of financial balance in cases of sufficient evidence that he has been a victim of fraud, in which cases the due process of investigation must be established, ensuring the adversarial and ample defense of the bettor.

Section II - Duties of the Bettor

Art. 24. The duties of the bettor of the fixed-odds bet are:

I - identify themselves before the betting operating agent, in physical or virtual channels, providing reliable data, whenever requested;

II - register with the betting operator agent up to three prepaid deposit or payment accounts, held by him/her, held in financial or payment institutions authorized to operate by the Central Bank of Brazil;

III - read and, at their convenience, accept or reject the privacy policies and terms and conditions of the betting operating agent, at the time of registration and whenever there are changes in their content;

IV - use your graphical account for the sole purpose of placing bets, in compliance with the legal and regulatory rules in force;

V - inform the betting operator agent if it falls within any hypotheses provided for in article 26 of Law No. 14,790, of December 29, 2023; and

VI - adopt prudential limits for betting for financial loss and for time elapsed, linking such limits to daily, weekly, monthly or other periods." (NR)

Section III - Prohibition of Betting Intermediation

Art. 25. Bettors are prohibited from acting as betting intermediaries, placing third-party bets as if they were their own.

Paragraph 1 - Betting operators may reduce betting limits and suspend access to a bettor's graphical account when there is sufficient evidence of acting as a betting intermediary.

Paragraph 2 - Betting operators must notify the regulator when there is evidence of the bettor's performance as a betting intermediary.

CHAPTER V - RIGHTS AND DUTIES OF THE BETTING OPERATOR AGENT

Section I - Rights of the Betting Operator Agent

Art. 26. The rights of the betting operator are:

I - refuse, restrict or limit bets while seeking to ensure compliance with the legal and regulatory provisions in force;

II - refuse to register a bettor who does not accept the terms and conditions of the betting system or who does not provide the necessary information for the betting operator to complete the identification process;

III - suspend, for the duration of the investigation process, the activities of bettors' graphic accounts when there is a well-founded suspicion:

a) fraud against the betting operator; and

b) betting fraud through match-fixing or corruption in sporting events;

IV - suspend the payment of the prize, while the investigation process lasts, for the purpose of investigating the practice of fraud listed in item III of the head of this article.

Art. 27. Betting operators can change at any time, respecting open bets, the fixed odds of any sporting event or online game.

Paragraph 1 - The fixed odds offered, in each event and in each game, must be simultaneously the same for all bettors at any given time.

Paragraph 2 - After being contracted by the bettors, the fixed quota of the bet cannot be changed by the betting operating agent.

Section II - Duties of the Betting Operator Agent

Art. 28. The duties of the betting operator agent, without prejudice to other legal and regulatory duties in force, are:

I - to ensure the rights of the bettor provided for in this Ordinance;

- II - provide the bettor, in a clear, transparent and easily accessible manner, in Portuguese, with the terms and conditions of its betting system;
- III - to collect the destinations provided for in the legislation, levied on the proceeds of the collection, under the terms of specific regulations;
- IV - provide safe means to the bettor for the realization, maintenance and checking of bets and eventual receipt of prizes;
- V - ensure, in the case of a physical bet, that the previously registered user places his bet through his graphic account, providing him with equivalent means for the realization, verification of the bet and, when applicable, receipt of the prize, in accordance with Law No. 14,790, of December 29, 2023, and SPA/MF Ordinances No. 722, of May 2, 2024, and No. 827, of May 21, 2024;
- VI - make the payment of prizes due to the bettor, without charging requirements for withdrawal of financial resources;
- VII - provide supporting documentation and adequate guidance to the bettor to prove, with the Special Secretariat of the Federal Revenue of Brazil - RFB, the winning of a betting prize, for the purposes of calculating the Individual Income Tax - IRPF;
- VIII - to provide the regulator with all necessary information in order to enable the performance of market surveillance;
- IX - establish a specific contact channel for quick and effective attendance of the demands specified in article 37 of Law No. 14,790, of December 29, 2023;
- X - ensure the integrity, availability, confidentiality and all other security attributes of the bets, ensuring a reliable and transparent bet;
- XI - to provide and provide information on the rules of games and bets in a clear, true, complete and updated manner;
- XII - provide clear information on the accepted means of payment, subject to the provisions of Law No. 14,790, of December 29, 2023, and Normative Ordinance SPA/MF No. 615, of April 16, 2024;
- XIII - clearly inform the minimum and maximum amounts of bets and payment of prizes;
- XIV - to guarantee a mechanism that does not allow bets whose prize may exceed the maximum amount eventually fixed;
- XV - clearly inform the bettor of the calculation for the expected prize, in case of multiple bets or with several prize amounts;
- XVI - verify the identity of the bettor during their registration and implement means to prevent the registration of people prevented from betting referred to in article 26 of Law No. 14,790, of December 29, 2023;
- XVII - to provide information on the prohibitions in relation to the performance of games and bets;
- XVIII - to maintain valid the documentation that supported the approval of its authorization, pursuant to SPA/MF Ordinance No. 827, of May 21, 2024;
- XIX - refrain from hiring the person in charge, director, manager, supervisor, technician or any other member of the team responsible for validations to certify the conformity of their betting and information systems in the twelve months following the evaluation;
- XX - adopt and implement a compliance and transparency policy, procedures and internal control aimed at the integrity of bets and the prevention of match-fixing and other fraud;

XXI - collaborate in the fight against illegal gambling, match-fixing in sporting events and other associated illicit activities, complying with the preventive provisions provided for in Law No. 14,597, of June 14, 2023, and Law No. 14,790, of December 29, 2023;

XXII - communicate to the regulator the indications of manipulation of results of sporting events, within five business days, counted from the date on which the betting operator identifies or becomes aware of the evidence of manipulation, through the Betting Management System - SIGAP;

XXIII - to communicate to the regulator, immediately or within a period not exceeding twenty-four hours, whenever in any sporting event the amounts bet in the secondary markets exceed the values of the primary markets;

XXIV - jointly and severally liable with its suppliers or commercial partners for damages caused to the bettor in the operation of fixed-odds betting, under the terms of Law No. 8,078 of September 11, 1990 - Consumer Protection Code;

XXV - not to have as a controlling partner or shareholder of a betting operator, individual or member of a control agreement, who holds a direct or indirect interest in a *Sociedade Anônima do Futebol* or professional sports organization, nor who acts as a manager of a Brazilian sports team;

XXVI - verify the information provided by the bettor at the time of registration; and

XXVII - pay the Inspection Fee, provided for in article 32 of Law No. 13,756, of December 12, 2018.

Art. 29. The betting operator must be part of or associated with a national or international sports integrity monitoring body.

Art. 30. The betting operator must adopt measures to prevent suspicious activities of money laundering, terrorist financing and proliferation of weapons of mass destruction, in accordance with Ordinance SPA/MF No. 1,143, of July 11, 2024, and Laws No. 9,613, of March 3, 1998, No. 13,260, of March 16, 2016, and No. 13,810, of March 8, 2019, and manipulation of events and results, in compliance with the provisions of article 177 of Law No. 14,597, of June 14, 2023.

Art. 31. The registration of the platform user or bettor must contain the following information:

I - full name;

II - nationality;

III - Individual Taxpayer Registration Number - CPF;

IV - date of birth;

V - identification of the bettor's gender;

VI - complete address, which cannot be a PO Box;

VII - country of domicile;

VIII - telephone number;

IX - e-mail;

X - data of the deposit or prepaid payment accounts registered;

XI - prudential betting limit per time elapsed, linking to daily, weekly, monthly or other periods;

- XII - prudential limit of betting for financial loss, linked to daily, weekly, monthly or other periods;
- XIII - IP address registered at the time of registration; and
- XIV - scanned copy of a valid identification document with photo." (NR)

Paragraph 1 - The e-mail and telephone number indicated must allow contact and communication between the betting operator and the bettor in a direct and effective way, and must be verified by the betting operator and validated by the bettor.

Paragraph 2 - For the purposes of the provisions of item XI of the head of this article, the following identification documents of the bettor will be admitted:

- I - National Identity Card;
- II - General Registry - RG;
- III - National Driver's License - CNH; or
- IV - Passport.

Paragraph 3 - For the purposes of authenticating the bettor, the following must be registered:

- I - facial recognition, with proof of life; and
- II - alphanumeric password with special characters.

Paragraph 4 - For the purposes of authenticating the bettor, the betting operator may offer, subject to the bettor's consent, the registration of:

- I - other forms of biometrics other than facial recognition; and
- II - electronic device that generates passwords - token.

Paragraph 5 - To verify the validity of the identity of the bettors, confirmation must be made through communication channels informed in the user's registration, such as:

- I - e-mail;
- II - *serviço de mensagens curtas* - short message service - SMS; or
- III - messaging applications.

Paragraph 6 - The bettor will only be able to place fixed-odds bets after the completion of the registration process referred to herein.

Paragraph 7 - The Individual Taxpayer Registration Number - CPF cannot be changed after the registration of the bettor, and the transfer of registration to various bettors is prohibited.

Art. 32. The betting operator must maintain a database, which will bring together all the records of the bettors.

Paragraph 1 - If there is a change in the information in the bettor's registration, the replaced information must be kept, including the IP address of each change in the registration.

Paragraph 2 - The procedures related to personal data by betting operators must comply with the provisions of Law No. 13,709, of August 14, 2018.

Art. 33. Each bettor may have a single registration associated with each betting operator agent trademark.

Paragraph 1 - The bettor's data, after his express consent, may be used by the betting operator agent in all its licensed trademarks for registration purposes, observing the provisions of Law No. 13,709, of August 14, 2018, regarding the processing of personal data.

Paragraph 2 - Even if the bettor's data, after his express consent, are used for more than one trademark of the same betting operator agent for registration purposes, the authentication referred to in this Ordinance will be mandatory.

Paragraph 3 - The bettor may use up to three different registered accounts in each betting operating agent.

Paragraph 4 - It is forbidden for the betting operator agent to disclose its other trademarks at the time of the bettor's registration, subject to the provisions of article 39, item I, of Law No. 8,078 of September 11, 1990 - Consumer Protection Code.

Paragraph 5 - It is forbidden for the betting operator to offer products, services, games and other activities in its betting system that are not subject to regulation and authorization by the Secretariat of Prizes and Bets of the Ministry of Finance.

Article 34. The betting operator must require the bettor to update or validate the registration data annually.

Sole Paragraph. In case of non-update or validation of the registration by the bettor, when requested, the betting operator must suspend the use of the account until the update or validation is effective.

Art. 35. The betting operator will make available in its betting system individualized graphic accounts for each of its authorized trademarks, which allow the bettor to manage its operations and financial resources.

Paragraph 1 - The betting operator agent must make the payment of prizes in the account registered by the bettor.

Paragraph 2 - The betting operator agent may provide the bettor with the option of keeping the prizes received in the transactional account, with registration in the graphic account, for the use of his credits in new bets.

Paragraph 3 - The betting operator must ensure that the bettor may change the option referred to in paragraph 2 at any time.

Art. 36. The betting operator must require the bettor, at each access to the betting system, one of the forms of authentication provided for in this Ordinance.

Paragraph 1 - In addition to the authentication referred to in the head of this article, the betting operator must require confirmation of the bettor's identity through communication channels informed in the user's registration, such as e-mail, short message service (SMS) or messaging applications, in cases of:

- I - request for personal and tax information, such as annual income report;
- II - account inactivity for ninety days; and
- III - three unsuccessful attempts at the time of authenticating the bettor's identity.

Paragraph 2 - In addition to the authentication referred to in the head of this article, the betting operator must require facial recognition from the bettor in cases of:

- I - registration change;
- II - withdrawal of financial resources at the request of the bettor;
- III - periodic confirmation of registration; or
- IV - account closure.

Paragraph 3 - If there are three unsuccessful attempts at the time of authentication of the bettor, his account must remain blocked until the authentication referred to in paragraph 1 is carried out.

Paragraph 4 - Once the bettor's identity has been authenticated and validated, the system must present the date and time of its last access.

Art. 37. After one hundred and eighty days of inactive account, the betting operator may close the bettor's account, and must transfer the remaining balance to the bettor's registered account.

Sole Paragraph. Fees will not be allowed in cases of inactive accounts.

Art. 38. The betting operator must have mechanisms in place to detect misuse of the account by third parties, including by analyzing sudden changes in a bettor's behavior.

Art. 39. Betting operator agents must comply with requests from competent public agents regarding access to registration data of bettors and other users of the betting system, in accordance with the legislation in force.

Art. 40. The betting operator must ensure the confidentiality of data and information to which it has access in the exercise of the operation of fixed-odds betting, in compliance with the relevant legislation.

Paragraph 1 - The betting operator agent must provide training to its employees regarding the guarantee of confidentiality that is dealt herein.

Paragraph 2 - The betting operator agent and its employees will be jointly and severally liable in cases of violation of the confidentiality referred to in the head of this article, pursuant to article 42 of Law No. 13,709, of August 14, 2018, regarding personal data.

Art. 41. The betting operator must provide the bettor with an income report for the annual IRPF adjustment statement, under the terms of the regulations on Proof of Income Paid and Withholding Income Tax of the Special Secretariat of the Federal Revenue of Brazil - RFB.

Section III - Rewards

Art. 42. The betting operator may offer promotions, rewards or loyalty programs to bettors.

Paragraph 1 - The betting operator may establish rules for the use of the rewards referred to in the head of this article, provided that they are clearly established in the Terms and Conditions of the betting system, and it is prohibited:

I - condition the delivery of bonuses, rewards or goods to financial contributions made by bettors; and

II - granting, in any form, advance, anticipation, bonus or prior advantage, even if merely as a promotion, disclosure or advertisement, for the realization of a bet.

Paragraph 2 - The rules referred to in paragraph 1 may include the conditions for the withdrawal of bonus amounts, as long as they are not linked to new deposits.

Paragraph 3 - The betting operator must keep a record of all transactions, under the terms of Ordinance SPA/MF No. 722, of May 02, 2024.

Paragraph 4 - For the free distribution of prizes, by means of a raffle, gift certificate or contest, for the purpose of advertising, the provisions of Law No. 5,768, of December 20, 1971, shall be observed.

Art. 43. The points awarded by the betting operator to the bettor must be presented in a separate wallet from the graphic account that contains the monetary balance held by the bettor with the betting operator.

Section IV - Early Withdrawal - Cash Out

Art. 44. Betting operators will be able to offer bettors an early withdrawal - cash out exclusively for fixed-odds bets that have real events in sports themes as their object.

Paragraph 1 - The general rules of early withdrawal shall be included in the Terms and Conditions prepared by the operating agents.

Paragraph 2 - Betting operators must clearly predict the amount of early withdrawal.

Art. 45. Early withdrawal must follow the same rules regarding the payment of prizes.

Section V - Terms and Conditions and Privacy Policy

Art. 46. The betting operator must prepare and maintain Terms and Conditions for the use of the website or application, which must comply with the legal and regulatory provisions in force and be written in a clear and concise manner, containing information on:

- I - opening and verification of the bettor's account;
- II - payment transactions;
- III - suspension, limitation and closure of account by the betting operator;
- IV - suspension, limitation and closure of account by the bettor;
- V - duties of the bettor;
- VI - responsible gaming;
- VII - types and forms of bets;
- VIII - early withdrawal - cash out;
- IX - cancellation or interruption of events subject to betting;
- X - malfunctions, errors and interruptions of the betting platform;
- XI - suspension of markets or cancellation of transactions;
- XII - treatment of inactive accounts;
- XIII - promotions and offers;
- XIV - privacy policy; and
- XV - service to the bettor and ombudsman.

Paragraph 1 - The Terms and Conditions must contain reference to the protection of the rights provided for in Law No. 8,078, of September 11, 1990 - Consumer Protection Code.

Paragraph 2 - The Terms and Conditions may not contain a choice of forum clause that excludes the Brazilian jurisdiction for conflict resolution.

Paragraph 3 - The betting operator may only impose limits or refuse bets based on criteria previously established in the Terms and Conditions.

Paragraph 4 - The application of the limits and refusals referred to in paragraph 3 may only be carried out in bets not yet placed.

Art. 47. The betting operator must keep its Terms and Conditions in a visible place in the physical sales channels and, in the virtual channels, must keep it accessible on the website or application and make it available to the bettor at the time of registration, for reading and eventual acceptance, being obliged to renew this consent whenever there is any modification of the Terms and Conditions for the continuity of the service.

Art. 48. The betting operator must maintain and publish on its website or application its Privacy Policy, which must observe the same consent rules provided for in article 47 of this Ordinance.

Section VI - Betting Exchange - Betting Exchange

Art. 49. In the betting exchange offer, it is the responsibility of the betting operator to make available, place and settle the bets, crediting the prize amount to the winner's graphic account and debiting the loser's graphic account.

Paragraph 1 - The betting operator must have a system that prevents mutual identification between betting exchange bettors.

Paragraph 2 - The betting operator is responsible for the payment of prizes and for the compensation of damages in cases of malfunction, error or interruption that may occur in the betting exchange system.

Paragraph 3 - The betting operator must inform in advance of the fee that will be charged as a commission for each bet.

Section VII - Investigation Process

Art. 50. If there is evidence of non-compliance with current legal and regulatory provisions regarding fixed-odds betting or the Terms and Conditions, the betting operator may initiate a verification process on its own initiative or at the instigation of third parties.

Sole Paragraph. The provocation of a third party referred to in the head of this article includes those from a sports integrity monitoring entity and the Secretariat of Prizes and Bets of the Ministry of Finance.

Art. 51. The cases of non-compliance dealt with in this section are those related to:
I - manipulation of results and corruption in real events with sports themes and other frauds; and

II - contrary to the provisions of the Terms and Conditions.

Sole Paragraph. The provisions of this section do not apply in cases of evidence of money laundering, terrorist financing, and proliferation of weapons of mass destruction, in which the provisions of Ordinance SPA/MF No. 1,143, of July 11, 2024, shall be applied.

Art. 52. In the event of non-compliance with current legal and regulatory provisions relating to fixed-odds betting or the Terms and Conditions by the bettor, the betting operator may suspend or close the bettor's account.

Paragraph 1 - For the suspension or closure of the bettor's account, the betting operator agent must ensure the due process of investigation of the non-compliance, with an adversarial and ample defense.

Paragraph 2 - The betting operating agent, in the due process of calculation, must at least:

- I - inform the bettor about the facts and non-compliance that are being investigated;
- II - provide for the bettor's response period, which cannot be less than seven days; and
- III - to close the investigation process within thirty days, counted from the date of knowledge of the fact.

Paragraph 3 - The period referred to in item III of paragraph 2 may be extended by the operating agent for an equal period, provided that it is justified.

Paragraph 4 - If, at the conclusion of the calculation process, the non-compliance with current legal and regulatory provisions relating to fixed-odds betting or the Terms and Conditions by the bettor is confirmed, the Secretariat of Prizes and Bets of the Ministry of Finance must be notified.

Paragraph 5 - If the bettor opposes the conclusion of the calculation process, he may notify the Secretariat of Prizes and Bets of the Ministry of Finance to open an inspection process.

Art. 53. In the event of non-compliance with current legal and regulatory provisions relating to fixed-odds betting or the Terms and Conditions by the bettor, the betting operator may also:

- I - suspend bets related to indications of non-compliance; and
- II - suspend, until the conclusion of the calculation process, the payment of prizes related to the bets placed.

Art. 54. If the signs of non-compliance are not confirmed, the betting operator must reactivate the bettor's account and pay the prizes that were eventually suspended.

Art. 55. If the indications of non-compliance are confirmed, the betting operator must:

- I - annul manipulated or fraudulent bets;
- II - refund the value of bets from bettors not involved in non-compliance and who have been harmed; and
- III - suspend for a certain period or close the account of the bettors involved in the non-compliance.

Sole Paragraph. In the event of account closure of the bettor who has committed fraud proven through a verification process, the betting operator agent may retain the amount deposited by the bettor up to the limit of the damages caused.

Art. 56. The betting operator must maintain a separate and redundant record with the data system, on the calculation processes.

Sole Paragraph. The record referred to in the head of this article must contain:

- I - the dates of the facts ascertained;

II - the name and number of the Individual Taxpayer Registry - CPF of the bettor involved in the calculation process;
III - the event object of the bet;
IV - the amount bet by the bettor involved in the calculation process;
V - the result of the event object of the bet;
VI - the amount paid to the bettor involved in the calculation process;
VII - the value of the prizes whose payment has been suspended or returned; and
VIII - the decision and reasoning of the betting operator agent in the calculation process.

Art. 57. The calculation process may be subject to monitoring, inspection and sanctioning action by the Secretariat of Prizes and Bets of the Ministry of Finance.

CHAPTER VI - FINAL PROVISIONS

Art. 58. Betting operators and their administrators who fail to comply with the duties referred to in this Ordinance will be applied by the regulator, cumulatively or not, the penalties provided for in Law No. 14,790, of December 29, 2023, through the due administrative sanctioning process.

Art. 59. The rules for inspection, monitoring and sanctioning for non-compliance with the provisions set forth in this Ordinance will be implemented by the Secretariat of Prizes and Bets as of January 1, 2025.

Art. 60. This Ordinance enters into force on the date of its publication.

REGIS ANDERSON DUDENA