

The processing of personal data associated with the payment of identified prizes.

General information

The payment of prizes of the legally-established amount requires by law the reliable identification of the interested party and the treatment by SELAE of personal data. SELAE declares that it will scrupulously respect the user's fundamental rights regarding the processing of their personal data, as well as ensuring strict compliance with current regulations.

- *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data ("GDPR")*
- *The Personal Data and Digital Rights Protection Act, Organic Law 3/2018 of 5 December ("Personal Data and Digital Rights Protection Act")*
- In addition to any implementing regulations that may apply.

The following information is provided regarding the processing of personal data, using the layer technique.

I. Layer I information

BASIC DATA PROTECTION INFORMATION

| Epigraph | BASIC DATA PROTECTION INFORMATION (Layer I) |
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| Collected and processed data. Categories. | <p>As the amount of the prize is equal to or greater than the legally-established amount, the personal data of all prize-winning natural persons is collected, as is that from the actual owners in the event that a legal entity is the winner and, where appropriate, from the representatives of natural persons, both natural persons and legal entities. Interested parties shall identify themselves by means of a reliable identification document (National identity document, foreign residency document or passport). The following types of data are collected and processed:</p> <ul style="list-style-type: none"> • Identification information: National identity document, foreign residency document or passport, Tax Identification or Foreign Resident's Number/passport number, name and surname(s), holographic signature. • Economic, fiscal and other relevant information for the prevention of fraud, the fight against money laundering and the prevention of terrorism: Amount of the prize, tax withholding; fiscal residence, employment or business activity, nationality, status of the person with public or family responsibility or close relationship with the latter. |
| Data controller | SOCIEDAD ESTATAL LOTERÍAS Y APUESTAS DEL ESTADO S.M.E. LTD. (SELAE) – A86171964 |
| Purposes | <p>Operational and commercial management of the identified prizes and their payment. The satisfaction of the associated regulatory obligations (gambling, the prevention of fraud and money laundering and the fight against terrorism). Satisfaction of personal data protection requirements.</p> <p>The obligation of data processing for the purpose of preventing money laundering and the fight against terrorism currently covers prizes of two thousand euros or more. The profiling of certain stakeholders occurs when pre-established circumstances concur, with no automated decisions arising in any case.</p> <p>The obligation to hold and therefore process data for the purposes of the management thereof is to date set at prizes over 40,000 euros and over 24,000 euros in the case of "El Millón".</p> |
| Legitimation. Legal basis | <p>The legitimising grounds for data processing are:</p> <ul style="list-style-type: none"> • Business relationship based on SELAE game rules and lottery instruction. • Legal obligations: game regulations, fiscal matters, fraud prevention, prevention of money laundering and terrorism, personal data protection. • The mutual legitimate interest of the parties. |
| Recipients | <p>The identification information from prize-winning interested parties subject to tax withholding must be systematically assigned to the tax authorities. Banks are processing managers. Banks also have their own obligations as data processing managers for their own purposes.</p> <p>No other communication shall be made to other entities except for those communications that occur due to obligation or legal necessity to entities that include, among others:</p> <ul style="list-style-type: none"> • The Directorate General for the Regulation of Gaming. • Others, such as SEPBLAC, national law enforcement forces and bodies, judges, public prosecutor's office, courts and other public administration entities or authorities that may require it in the exercise of their powers. |

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| | <ul style="list-style-type: none"> Others, such as notaries, solicitors, attestors and lawyers. SELAE does not transfer data to third countries or international organisations that do not offer sufficient guarantees. |
| Opposition to processing | Opposition to providing personal data and its subsequent processing shall result in the impossibility of paying the prize for legal and commercial reasons. |
| Rights | Prize winners may exercise the rights established in the GDPR, namely the right to access, rectify and delete data as well as other rights, as explained in the additional information. |
| Source of the data | The interested party or their representative. The representative is obliged to inform the represented party of these terms before providing their personal data , with SELAE not required to perform any additional action. |
| Additional information | Additional detailed information on data protection can be found at: Layer II Information |

II. Layer II information

Applicable regime in the protection of personal data and the identity of the data controller

The payment of prizes of the legally-established amount **requires by law the reliable identification of the interested party and the treatment by SELAE of personal data** (“Personal Data”). SELAE declares that it will scrupulously respect the user’s fundamental rights regarding the processing of their personal data, as well as ensuring strict compliance with current regulations.

- *Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“GDPR”)*
- *The Personal Data and Digital Rights Protection Act, Organic Law 3/2018 of 5 December (“Personal Data and Digital Rights Protection Act”)*
- In addition to any implementing regulations that may apply.

Pursuant to the applicable regulations, SOCIEDAD ESTATAL LOTERÍAS Y APUESTAS DEL ESTADO S.M.E. S.A. (hereafter “SELAE”) declares that it shall respect the requirements of current personal data protection regulations, specifically those relating to the protection and the fulfilment of the duty of secrecy regarding the personal data. In particular, this shall apply to the collection and processing of personal data for purposes associated with the management of the payment of prizes that legally require identification, including the identification of the winners, the payment of the prize and possible subsequent processing.

Data controller and data protection officer

SOCIEDAD ESTATAL LOTERÍAS Y APUESTAS DEL ESTADO S.M.E. S.A. (SELAE)

- Tax Identity Number: A-86171964
- Address: Calle Poeta Joan Maragall 53, 28020 Madrid.
- Telephone: (+34) 900 112 313 or (+34) 915 962 300 (Customer Service)
- Contact the data protection officer
 - By post: SELAE, Registry, attention “Data protection”, Calle Poeta Joan Maragall 53, 28020 Madrid.
 - Electronic: communication form at <https://www.selae.es/es/web-corporativa/contacto-proteccion-datos>

Personal data, purposes and term during which the data is conserved

Pursuant to the principle of limitation of purpose, SELAE shall only request and process Personal Data that is appropriate, relevant and limited in relation to the specific, explicit and legitimate purposes for which it is processed. The data collected and its specific purpose, together with the conservation period and the consequence of not providing it, are as follows:

Collected and generated personal data:

- From the interested party:
 - Identification information:
 - Scanned national identity document, foreign residency document or passport;
 - Tax identification or foreign resident's number Passport number
 - Name and surname(s)
 - Holographic signature.
 - Economic, fiscal and other relevant information for the prevention of fraud, the fight against money laundering and the prevention of terrorism:
 - Prize amount
 - Withholding
 - Tax residence
 - Employment or business activity
 - Nationality
 - Status of a person with public or family responsibility or close relationship with the latter.
- The representative:
 - Identification information:
 - Tax identification or foreign resident's number Passport number
 - Name and surname(s)
 - Holographic signature.
 - Others:
 - Authorisation of the representative by the interested party.

Pursuant to applicable regulations regarding personal data protection, the interested party's personal data and/or that of their representative(s) will be incorporated into processing that is the responsibility of SELAE.

Purposes

The purposes for which it is essential to collect personal data are as follows:

- Operational and commercial management of the identified prizes and their payment.
- Compliance with associated regulatory obligations (gambling, prevention of fraud and money laundering and the fight against terrorism).
- Satisfaction of personal data protection requirements.

Processing obligation in order to prevent money laundering and the financing of terrorism has been established for prizes equal to or greater than two thousand euros (€2,000).

The obligation to hold and therefore process data for the purposes of the management thereof is to date set at prizes over 40,000 euros and over 24,000 euros in the case of “El Millón”.

The profiling of certain stakeholders occurs when pre-established circumstances concur, with no automated decisions arising in any case.

Period of retention

Ten years after effective payment of the prize (pursuant to the Prevention of Money Laundering and the Financing of Terrorism Act 10/2010 of April 28).

If the data is NOT provided

Opposition to providing personal data and its subsequent processing shall result in the impossibility of paying the prize for legal and commercial reasons.

Legal basis of the processing

- Business relationship based on SELAE game rules and lottery instruction.
- Legal obligations: game regulations, fiscal matters, anti-fraud law, the Prevention of Money Laundering and the Financing of Terrorism Act, current personal data protection regulations.
- The mutual legitimate interest of the parties.

Recipients of personal data

The following disclosures of personal data are foreseen:

- The identification information from prize-winning interested parties subject to tax withholding must be systematically assigned to the tax authorities.
- Banks are processing managers. Banks have their own obligations as data processing managers for their own purposes.
- No other communication shall be made to other entities except for those communications that occur due to obligation or legal necessity to entities that include, among others:
 - The Directorate General for the Regulation of Gambling, the authorising body and supervisor of the gaming sector. Communications for the exercise of its functions and the fulfilment of SELAE, which include the verification of identity and subjective prohibitions, the control of gaming, and when applicable to meet other legal obligations or requirements.
 - Tax Authorities, including the State Tax Administration Agency and the corresponding Autonomous Region agencies. Communications for the entry of the withholdings made in the larger prizes and the satisfaction of whichever fiscal obligations are normatively established.
 - Others, such as SEPBLAC, national law enforcement forces and bodies, judges, public prosecutor's office, courts and other public administration entities or authorities that may require it in the exercise of their powers. In order to carry out the notification, all pertinent documentation shall be required.
 - Others, such as public notaries, court representatives, attesting officials, attorneys and lawyers, to satisfy any legal needs that may arise for the legal defence of SELAE's interests.

Permitted data transfers:

SELAE does not transfer data to third countries or international organisations that do not offer sufficient guarantees.

Exercise of rights and contact details of the data protection officer

The user has the right to request SELAE the exercising of their rights in relation to their personal data.

As the data controller, SELAE guarantees the interested party the exercise of the following legally established data protection rights in the terms set forth in applicable law:

- Access to personal data. Users may access their personal data at any time and request information in relation to the processing thereof by SELAE.
- Rectification or deletion of personal data Users will have the right to request the rectification of their personal data where it is inaccurate or incomplete.
- Suppression. Users can request that their personal data be deleted and the ceasing of the processing thereof if it is no longer necessary for the purposes for which it was collected, they have withdrawn their consent, where the data has been treated unlawfully or for any other legally-established reason.
- Suppression. Users can request that their personal data be deleted and the ceasing of the processing thereof if it is no longer necessary for the purposes for which it was collected, they have withdrawn their consent, where the data has been treated unlawfully or for any other legally-established reason.
- Limitation on processing. Users will have the right to request the limitation of the processing of their personal data where this is legally provided for.
- Objection to processing. Users may object to the processing of their personal data for the purpose of sending commercial notification or for any other legally-established reason.
- Data portability. Users have the right to receive their personal data in a structured, commonly used and machine-readable format and for it to be transmitted to another data controller.
- To exclude automatic decisions and to request the right to human intervention, express their point of view or challenge the decision, as long as these decisions have not been made in compliance with a legal obligation.
- To withdraw consent, where this is the legal basis for the processing. Users may withdraw the consent given at any time, where this is the legal basis for the processing. This will not affect the legality of the processing based on consent prior to its withdrawal.
- All other rights provided for under current regulations.

The user may exercise their rights:

- a) By means of a written request duly signed and sent by postal mail to: SELAE, Register, Attention: "Data Protection" service, Calle Poeta Joan Maragall 53, 28020 Madrid, Spain stating the reference "Exercise of Rights", clearly and expressly indicating the processing referred to in the exercise of the right, the petition or right being exercised and the given name, surname(s) and postal address for the response, attaching a copy of both sides of a reliable identification document (national identity document, foreign residency document, passport or driver's licence) in order to unambiguously identify the user. SELAE will process this personal data on the legitimate basis of legal compliance, with the sole purpose of responding to your exercise of your rights.
- b) By making a request through the form available at <https://www.loteriasyapuestas.es/es/contacto-proteccion-datos>. The processing of the exercise of rights necessarily requires the contribution of the image of both sides of a reliable identification document. The user shall provide a contact email address for a stable mailbox where they can receive notification and to which SELAE can send their reply.

You also have the right to contact the SELAE Data Protection Officer. This contact can be made using the mechanisms described above.

Claim made to a supervisory authority

You are hereby informed that you can file a claim with the supervisory authority regarding the protection of your personal data (Spanish Agency for the Protection of Personal Data), particularly when you have failed to obtain a satisfactory response in the exercise of your rights, through its virtual office: <https://sedeagpd.gob.es/sede-electronica-web/vistas/infoSede/tramitesCiudadano.jsf>.

Existence of automated decisions (including profiling)

The profiling of certain stakeholders occurs when pre-established circumstances concur.

No automated decisions arise in any case.

Source of personal data

All data is collected from the interested party or the representative of the interested party. Prior to the supply of any personal data of an interested natural person, their representative is obliged to inform them of the provisions of this document, meeting any other requirements that may be applicable for the proper communication of the former party's personal data, without SELAE having to perform any additional action on behalf of this party in terms of information or consent.

The data is collected on behalf of SELAE by the paying entity, which acts as the person in charge of processing for the collection thereof, limiting its activity regarding this assignment to the collection and transmission of the data to SELAE through secure channels. However, this communication shall be without prejudice to the data protection obligations with which the entities that collaborate with SELAE in the payment of prizes must comply.