

RESOLUTION

ECO/2633/2014, of the 24th November, approving the list of admitted and the maximum number of authorisations for which each of them may apply in the second phase, as well as a list of excluded applicants, in the first phase of the public tender for obtaining up to six authorisations for the installation and exploitation of casinos in the tourist recreation centre of Vila-seca and Salou, announced by the Resolution ECO/1345/2014, of the 12th June.

Background

First. – On the 12th June of 2014, the Director General for Taxes and Gaming issued the Resolution ECO/1345/2014, of 12 June, initiating the public tender for obtaining up to six authorisations for the installation and exploitation of casinos in the tourist recreation centre of Vila-seca and Salou, and approving the terms and conditions for the first phase of the tender, in accordance with article 4 of Law 6/2014, of 10 June, amending Law 2/1989, of 16 February, on tourist recreation centres and the establishment of rules on taxation, commerce and gambling; Law 15/1984, of 20 March, on gambling and Decree 204/2001, of 24 July, approving the Regulation on casinos.

Second. – In accordance with the clause 3.4 of the aforementioned Resolution, the time limit for the submission of the applications began the day after the publication of the Resolution in the Official Journal of the Generalitat of Catalonia (DOGC) and ended, for the first phase of the tender, at 10.00 a.m. of the 25th of July of 2014.

Third. – In accordance with the clause 8 of the aforementioned Resolution, a Technical Committee was constituted in order to verify whether the submitted applications complied with the requirements set in the terms and conditions and in the applicable regulations. Upon expiration of the time limit for submissions, the Technical Committee met in order to verify whether the submitted applications complied with the established requirements.

Fourth. – In session on 25th July and its resumption on 28th July, the Technical Committee checked the applications submitted in due time and proper form, verified the compliance with the established requirements, and requested the clarifications in line with the clause 8.2 of the aforementioned Resolution.

Fifth. – In session on 4th August, the Technical Committee verified whether the notified applicants had provided the requested clarifications. It was established that, as regards the applicant BCN IR 1, SA, it was still provided no evidence of its technical capacity relating to the exploitation of casinos of gambling and betting in accordance with the clause 4.2.2 of the Resolution ECO/1345/2014. With respect to the remaining applicants, they had pending documents whose request to third parties was done in due time, in accordance with the provisions in clause 13 of the aforementioned Resolution.

Sixth. – In session on 24th October, the Technical Committee verified whether the notified applicants had provided the pending documents. Given the provided documents and the request for an extension of the time limit for submission by the applicants BCN IR 3, SA and BCN Integrated Resorts 2, SA, the Technical Committee agreed to grant an additional month that could not be extended, as these documents, which depended on the authorities of other countries, may entail complexity in its processing.

Seventh. – In session on 24th November, the Technical Committee verified that the applicants BCN IR 3, SA and BCN Integrated Resorts 2, SA have provided the requested documents within the time limit granted. Therefore, the Technical Committee has submitted the corresponding list of admitted and excluded applicants in accordance with the provisions of clause 9 of the Resolution ECO/1345/2014.

Legal grounds

First. – The Technical Committee has verified that the submitted applications comply with the requirements set forth in the Resolution ECO/1345/2014.

Second. – The Technical Committee has submitted the list of admitted applicants and the maximum number of authorisations for which each of them may apply in the second phase, as well as a list of excluded applicants.

In accordance with the aforementioned grounds, and the Law 15/1984, of 20 March, on gambling; Law 6/2014, of 10 June, amending Law 2/1989, of 16 February, on tourist recreation centres and the establishment of rules on taxation, commerce and gambling; Decree 204/2001, of 24 July, approving the Regulation on casinos; Resolution ECO/1345/2014, of 12th June, initiating the public tender for obtaining up to six authorisations for the installation and exploitation of casinos in the tourist recreation centre of Vila-seca and Salou, and approving the terms and conditions for the first phase of the tender; Decree 38/2001, of 25 March; restructuring the Ministry of Economics and Knowledge; Law 30/1992, of 26 November, on the legal regime of public administrations and the common administrative procedure, and with every generally applicable regulation, by virtue of the powers conferred to me,

I resolve:

-1 Approving the list of admitted applicants and the maximum number of authorisations for which each of them may apply in the second phase, as well as a list of excluded applicants in accordance with the provisions of clause 9 of the Resolution ECO/1345/2014.

Admitted applicants	Maximum number of authorisations for which may apply in the second phase
Group of companies including Gran Casino de Barcelona, SLU, Casino Castillo de Peralada, SLU, Casino Tarragona, SLU, Invergaming Peralada, SLU	1 authorisation
Melco Property Development Limited	1 authorisation
BCN IR 3, SA (shareholders: Veremonte España and HR Spain, LLC)	1 authorisation
BCN Integrated Resorts 2, SA (shareholders: Veremonte España, SLU and Instant Glory Holdings Limited)	1 authorisation
Excluded applicants	Exclusion cause
BCN IR 1, SA (sole shareholder)	Clause 4.2.2. Lack of evidence in technical capacity relating to the exploitation of casinos of gambling and betting

-2 Ordering its publication in the Official Journal of the Generalitat of Catalonia (DOGC) that shall be deemed as a notification to all interested parties for the provision purposes of the article 60 of Law 30/1992, of 26 November.

-3 Against this resolution, which does not bring the administrative procedure to a close, an administrative appeal may be lodged before the Minister of Economics and Knowledge within a time limit of one month starting on the day after the publication in the DOGC, in accordance with the provisions of the articles 107.1, 114 and 115 of Law 30/1992, of 26 November, without prejudice to the filing of any other appropriate appeal.

Barcelona, 24th of November of 2014

Elsa Artadi
Director General for Taxes and Gaming