ACT ON TAXATION OF WINNINGS FROM CONVENTIONAL GAMES OF CHANCE

Article 1
(Contents of the Act)

This act shall regulate the tax on winnings from conventional games of chance (hereinafter: game winnings tax).

Article 2
(Subject of taxation)

(1) The game winnings tax shall apply to every winning from conventional games of chance as laid down by the law governing games of chance.

(2) According to this Act, a winning shall be any payment of a winning, irrespective of the form of payment.

(3) For the purpose of this Act, the winning shall be deemed to be obtained as at the day when it is paid out or otherwise made available to the winner.

(4) Notwithstanding the provisions of the first to third paragraph, winnings from conventional games of chance shall not be taxable under this Act if their value is less than EUR 300.

Article 3
(Taxable person and taxpayer)

(1) The person liable to pay the game winnings tax (hereinafter: taxable person) shall be a winner who, according to the law governing games of chance, wins a winning in a conventional game of chance.

(2) The payer of the game winnings tax shall be the operator of a conventional game of chance.

Article 4
(Tax revenue)

(1) Revenues from the game winnings tax shall belong to the budget of the municipality in which the taxable person has his or her permanent residence.

(2) If the taxable person does not have a permanent residence in the Republic of Slovenia, the game winnings tax revenue shall belong to the budget of the municipality where he or she has a temporary residence.

(3) If the taxable person has neither a permanent nor a temporary residence in the Republic of Slovenia, the game winnings tax revenue shall belong to the municipality where the operator of the game of chance is established.

Article 5
(Taxable amount)

(1) The taxable amount shall be the value of the obtained winning.
If the winning is an object, service or right, the value of the obtained winning is for the purpose of this Act its market value increased by the tax deduction coefficient, which is 1.1765.

**Article 6**

**(Tax rate)**

The game winnings tax shall be paid at the rate of 15% of the taxable amount.

**Article 7**

**(Calculation and payment of game winnings tax)**

1. The game winnings tax shall be calculated, deducted and paid by the operator of conventional games of chance as a withholding tax, which shall be considered as the final tax.

2. The operator of conventional games of chance shall calculate and deduct the game winnings tax from every single winning on the day of payment of the winnings amount, and shall pay it no later than the first working day following the day of payment of the winnings amount.

3. The operator of conventional games of chance must calculate the game winnings tax in the withholding tax account and submit it to the tax authority no later than the first working day following the payment of the winnings amount.

4. Upon the payment of the winnings amount, the operator of conventional games of chance must submit to the taxable person data on the deducted withholding tax, as well as other data affecting the withholding tax amount.

**Article 8**

**(Penalty provisions)**

1. A fine of EUR 1,600 to 41,000 shall be imposed on an organiser of conventional games of chance if:

   1. the organiser as a taxpayer fails to calculate or pay the withholding tax for the taxable person (Article 7, second paragraph);
   
   2. the organiser fails to submit the withholding tax account or does not submit the withholding tax account in the prescribed manner and within the specified deadlines (Article 7, third paragraph);
   
   3. the organiser fails to submit to the taxable person data from the withholding tax account on the deducted and paid withholding tax and other data affecting the amount of the withholding tax (Article 7, fourth paragraph).

2. A fine of EUR 400 to 4,100 shall also be imposed on the responsible person of the operator of conventional games of chance for committing an offence referred to in the preceding paragraph.

**Article 9**

**(Application of other regulations)**

With regard to any question concerning the procedures and jurisdiction of a tax authority not regulated by this Act, the provisions of the law governing the tax procedure and the provisions of the law governing the tax administration shall apply.
Article 10
(Detailed regulations)

The minister responsible for finance shall prescribe a form for calculating the withholding tax within three months of the entry into force of this Act. The minister may prescribe detailed regulations on the implementation of this Act, in particular with regard to the subject of taxation and the taxable amount.

Article 11
(Termination of validity of regulations)

(1) As of entry into force of this Act, the following regulations shall cease to apply:

1. Articles 167 to 171 of the Civil Tax Act (Uradni list SRS (Official Gazette of the Socialist Republic of Slovenia), Nos. 36/88 and 8/89, and Uradni list RS (Official Gazette of the Republic of Slovenia) Nos. 48/90, 8/91, 7/93, 18/96 – ZDavP, 91/98 – ZDavP-C, 117/06 – ZDVP, 117/06 – ZDDD);

2. Article 388 of the Tax Procedure Act (Uradni list RS, No. 117/06);

3. Rules on the form for calculating tax deduction from winnings from conventional games of chance (Uradni list RS, No. 138/06);

4. Rules on the criteria for distribution of tax on winnings from conventional games of chance and of property tax (Uradni list RS, No. 45/07), in the part which refers to the tax on winnings from conventional games of chance.

(2) The regulation referred to in point 3 of the preceding paragraph shall apply until the adoption of the new rules under Article 10 of this Act.

Article 12
(Entry into force)

This Act shall enter into force on the fifteenth day following its publication in the Uradni list RS.