

Fraud Control Through the Use of Blockchain in Sports Betting under the Spanish Legal System*

Control del fraude mediante el uso de blockchain en las apuestas deportivas en virtud del ordenamiento jurídico español

Javier Martínez Boada ^a**About the Author**

Universidad Camilo José Cela, España

javier.martinez6@ucjc.edu

ORCID: <https://orcid.org/0009-0008-5482-4757>

DOI: <https://doi.org/10.11144/Javeriana.vj74.fctb>

Received: 28 february 2025

Accepted: 03 April 2025

Published: 05 june 2025

Abstract:

The aim of this research paper is to evaluate the use of blockchain technology to control fraud in sports betting, analysing its potential to combat possible problems, such as manipulation of results, fraud and lack of transparency. The methodology used is of a qualitative dogmatic-legal approach, as an analysis of the existing literature is carried out and the current positive law is interpreted in the light of the doctrine. The results reveal that the implementation of blockchain can create secure, decentralised and immutable environments that guarantee the transparency of transactions, highlighting the fundamental role of Smart Contracts in the automation of the fulfilment of obligations. Thus, it is concluded that it could be feasible to incorporate this technology as a mechanism to potentially ensure the legal security of transactions in the sports betting industry, contributing to create a more trustworthy and secure environment for users.

Keywords: Technology, Blockchain, Fraud, Sports Betting, Smart Contracts.

Resumen:

El presente artículo de investigación tiene como objetivo evaluar el uso de la tecnología blockchain para el control del fraude en las apuestas deportivas, analizando su potencial para combatir posibles problemas, como la manipulación de resultados, el fraude y la falta de transparencia. La metodología empleada es de enfoque dogmático-jurídico de tipo cualitativo, puesto que se efectúa un análisis de la bibliografía existente y se interpreta el derecho positivo vigente a la luz de la doctrina. Los resultados revelan que la implementación de blockchain puede crear entornos seguros, descentralizados e inmutables que garantizan la transparencia de las transacciones, destacando la función fundamental de los smart contracts en la automatización del cumplimiento de las obligaciones. De esta manera, se concluye que podría ser viable incorporar esta tecnología como un mecanismo que potencialmente garantice la seguridad jurídica de las transacciones en la industria de apuestas deportivas, contribuyendo a crear un entorno más confiable y seguro para los usuarios.

Palabras clave: tecnología, blockchain, fraude, apuestas deportivas, smart contracts.

Introduction

Until recently, people carried out their daily activities and tasks using elementary, analogue means, but with the advent of the Information Society, new technologies have emerged that facilitate communication, optimise processes and transform the way in which information is accessed, managed and shared.¹

Among all these technologies, the blockchain emerged in 2008 as a distributed registration system designed to eliminate the problem of double spending of cryptocurrencies within the Bitcoin protocol developed by Satoshi Nakamoto. Subsequently, thanks to the advances and functional developments that

this technology underwent, it was possible to incorporate Smart Contracts, which allowed the automation of obligations and guaranteed their fulfilment.²

In addition to the various functionalities provided by blockchain technology, it is necessary to highlight its innovative features, as it is these, together with other aspects, that will make it possible to create a distributed, immutable, decentralised, transnational, transparent and secure system capable of more effectively protecting the rights and interests of users and guaranteeing legal certainty in their sports betting.³

At the same time, new technologies have also completely transformed the sports betting industry. In this sense, digitalisation brings with it the possibility of creating virtual systems in which users, with just a computer device and an internet connection, can place an endless number of bets online, faster and in real time.⁴

Given this situation, it is clear that new technologies facilitate various activities and transactions, however, they also open the door to the commission of illicit activities such as fraud that jeopardise the legal security of these systems and the rights and interests of users. In this respect, it should be noted that sports betting fraud is no longer a historical phenomenon but a global criminal problem, involving criminal organisations, sportsmen, referees, businessmen and intermediaries.⁵

In addition, it should be taken into account that it is estimated that more than 1.6 billion euros are spent each year on illegal sports betting, which shows the need to seek alternatives that at least mitigate these conducts and provide legal certainty to the sports betting activities carried out by users within virtual systems.⁶

On the other hand, it should be noted that fraud⁷ in sports betting does not only come from illicit activities such as match-fixing or betting,⁸ but there are even others such as professional simulation of online betting,⁹ i.e., a person pretending to be a professional bettor and defrauding users seeking to place sports bets or, also, identity theft or credit card theft where amounts are unfairly charged on digital betting platforms such as, for example, BET365.¹⁰

In this context: Increasing fraud and crime in the sports betting sector, economic importance and the emergence of a technology apparently capable of creating systems that are proof against such illicit actions, it is necessary to write this article in order to analyse the possible solutions offered by blockchain technology to ensure transparency and security in sports betting.

Blockchain Technology: Concept, Types and Functionalities

In addition to the characteristics that make it possible to use the Blockchain to create a secure space in which to place sports bets, it is important for the reader to look at what this technology consists of, what its types are and what functionalities it brings to society, as it is this information that makes it possible, at a glance, to understand the potential of these systems to transform the sports betting sector and ensure that its activities enjoy legal certainty.

Initially, Blockchain systems were intended to serve as a distributed database where transactions were gradually recorded and stored. With the passage of time and functional developments, this technology has mutated into something more complex, allowing it to serve as a magic computer into which anyone can load programs.¹¹

Currently, there is no legal framework that defines or regulates this technology, so the only way to clarify what the Blockchain consists of is to study what the doctrine states.¹²

When defining Blockchain technology, it must be taken into account that there are many concepts contributed by authors, which consequently makes the term overloaded or uncertain.¹³

On the one hand, the jurisprudence through STS 326/2019, 20 June 2019, resolution no. 326/2019, ECLI:ES:TS:2019:2109 states that Blockchain is “a public and distributed ledger, where all transactions are stored permanently in a database.”

On the other hand, the authors define it in different ways, however, they converge in that these systems must be defined according to the functionality for which they are intended. Thus, if it is used to store data, it should be conceptualised as a distributed database with the characteristics of the Blockchain or, on the other hand, if it is used to automate obligations, it should be defined as a software in which self-executing programs can be loaded once pre-established conditions are met.¹⁴

In turn, as a result of the developments that Blockchain has undergone, it can be said that today we can find different types of systems. Blockchain technology emerged with Bitcoin as a public architecture in which any user could observe the transactions carried out and even operate by simply registering on the platform.¹⁵

Over time, these types of architectures began to evolve and give way to what we know today as the different types of Blockchain, which are: Public, hybrid and private.¹⁶

Among these types, the one that interests this study is the private type, since the first two can be consulted by any user, there are no central authorities that can govern access and mediate over possible disputes and, furthermore, within public systems users can act under pseudonyms that greatly impede their traceability to the point of allowing them to act anonymously.¹⁷

Furthermore, it should be remembered that, since there is no hierarchy in public systems, it will be difficult to comply with the data protection provisions of the Data Protection Regulation¹⁸ regarding the need for a data processor and a data controller.¹⁹ In turn, due to the immutability of the information, it will not be possible to exercise ARCO²⁰ rights in public Blockchains either, which suggests that it will be necessary to use a private Blockchain where there is a central authority, hierarchies and, of course, greater ease in changing or deleting information while respecting the data protection rights recognised by the legal systems.²¹

In this regard, it is worth noting how different authors leave aside public systems to propose private systems to, for example, guarantee the privacy of tax information, allowing only registered and linked taxpayers to act on the Blockchain, with limited access and the involvement of the tax authority as the central authority.²²

As can be seen, Blockchain technology can apparently be proposed to create a private system in which sports betting service providers use private Blockchain systems to ensure greater legal certainty and that the rights and interests of users are better protected, however, before proposing the platform, it is useful to analyse the current state of sports betting and its regulation.

Legal Framework for Sports Betting in Spain

Gambling and betting have historically been briefly regulated in the Spanish legal system, specifically in articles 1798 to 1801 of the Civil Code. Thus, it was not until the enactment of Royal Decree-Law 16/1977 of February 25, 1977, regulating the criminal, administrative and fiscal aspects of games of chance and betting, that they were decriminalised in Spain, establishing a system of authorisation for gambling and betting.²³

Since the conduct was decriminalised, the regulation of gambling and sports betting in Spain is mainly governed by Law 13/2011 of May 27, 2011, on the regulation of gambling. In this regard, the legislation sets out the regulatory framework for gambling activities at state level (including sports betting) with the aim of guaranteeing the protection of public order, preventing fraud, avoiding addictive behaviour and protecting minors.²⁴

Likewise, the aforementioned regulations require platforms operating in Spain and offering games of chance to have a fiscal domicile and an operating licence within the territory, which is obtained from the

Directorate General for the Regulation of Gambling, which is the body responsible for supervising and controlling the gambling market in Spain.

Until relatively recently, in Spain there were no rules expressly regulating gambling on the internet and there was no case law interpreting the rules of traditional gambling in relation to online gambling.²⁵

With the emergence of new technologies, Spain, through Order EHA/3080/2011, of November 8, which approves the basic regulation of sports betting, establishes in a new way the need to take into account new communication technologies in sports betting, because, as indicated by the “set of economic, technological and social circumstances, means that traditional forms of gambling have been joined by others and that certain traditional games, such as sports betting, require adaptation to the new circumstances.”

Likewise, as a result of this need, Law 23/2022, of November 2, amending Law 13/2011, of May 27, on the regulation of gambling, was created to adapt the gambling market as far as possible to the new digital challenges related to this activity, such as, for example, online gambling, player protection and the fight against fraud. In this regard, perhaps the most relevant aspect for this article is the standard for the responsible use of non fungible tokens (NFTs), loot boxes and monetisation systems in video games, as one of the functionalities of the Blockchain is to serve as a platform for storing and exchanging NFTs.²⁶

On the other hand, due to the continuous fraudulent conduct that occurs within sports betting activities, Order PCI/759/2019 of July 9 is created, which creates and regulates the National Commission to combat the manipulation of sports competitions and betting fraud. In this regard, given the economic interest generated by this type of activity and the need to provide maximum legal certainty, the creation and regulation of a body capable of preventing, detecting and sanctioning fraudulent activities related to sports betting is a priority.

With the emergence of new technologies, the importance given to gambling has increased enormously. In this sense, with new technologies and the use of the internet and digital services, such as online gambling applications, it has become one of the main options for operators to place bets.

In the case of sports betting held over the Internet and, like any service provided by electronic tools, Law 34/2002 of July 11, 2002, on information society services and electronic commerce applies locally, which regulates games of chance offered by service providers that are legally established within a Member State of the European Union or the European Economic Area, using digital media, provided that they involve bets of economic value.²⁷

With regard to this type of activities, there is a clear concern about the possible participation of minors. In this context, although being a minor implies a subjective restriction to participate, it is clear that minors have access to both face-to-face and online gambling and, in turn, it can also be observed that more and more young people are starting this practice at an earlier age.²⁸

As we can see, the Internet and digital platforms that know no borders are used,²⁹ so that not only Spanish regulations should be studied, but also, at the international level, there should be some kind of regulation that sheds light on the possible risks involved in online sports betting.

From an international perspective, the Council of Europe Convention on the Manipulation of Sports Competitions, known as the Macolin Convention, can be highlighted, which deals with the regulation of sports betting and the prevention of fraud associated with this type of activity.

The treaty, which was adopted in 2014, focuses on the prevention, detection and punishment of manipulations that can occur in sporting competitions, such as match-fixing and betting fraud, by promoting collaboration between public authorities, sports organisations and betting operators to protect the integrity of sport.³⁰ In this respect, Spain ratified the convention in October 2024 and it entered into force in February 2025.

However, as some authors point out, although the Spanish experience in the field of sports betting can serve as a reference to analyse the evolution of this phenomenon in Latin American countries, one cannot

lose sight of the fact that regulation in many cases is insufficient or even stagnant, which makes this field an area of great interest both for society and for local and foreign providers.³¹

Against this backdrop of legal uncertainty, possible commission of illegal activities to the detriment of users and operators, the need for online service providers to acquire licences, lack of security and transparency, possible non-payment of amounts, lack of borders within digital gambling systems and possible involvement of minors, the Blockchain appears as a possible solution to these risks, provided it is correctly configured.

Blockchain System for Sports Betting

Having analysed the rules that regulate sports betting activities at national and international level and in view of the risks and disadvantages exposed, the purpose of this article is to propose Blockchain technology in order to create a system that responds to all the issues generated and that allows better compliance with the rules set out above.

As mentioned above, the system of interest is that of the private Blockchain because in this type of platform there is an authority that regulates access and controls the actions carried out within the chain.³² Moreover, in order to supervise these entries, the authority will require a reliable digital identity of the subject, considerably mitigating access by minors or those who should not have access because they have been deprived of their capacity to act.³³

As seen above, some authors have proposed such systems governed by a central authority such as a tax authority. In this case, the central authority would be the online sports betting service provider, such as, for example, BET365 or Bwin, and access could be granted to a licensing authority (in the case of Spain, the Dirección General de Ordenación del Juego) or another supranational authority to monitor the actions and bets placed, since the Internet is a global space where operators can act from anywhere in the world.³⁴

Furthermore, one of the characteristics that Blockchain offers to the activities carried out in its systems is security. In the face of growing cyber threats and the possibility of carrying out illicit activities contrary to legal sports betting, a Blockchain system can be set up to guarantee the security of information and transactions due to its advanced cryptographic architecture.³⁵ In this sense, the security of transactions within the digital betting platform would be more solidly ensured, mitigating fraud, scams and any other actions contrary to the rights and interests of users and operators.

On the other hand, as has been indicated, the lack of transparency within sports betting platforms generates uncertainty and creates the perfect breeding ground for manipulation of betting and user data. Blockchain could eliminate this problem because its records are immutable, i.e., the information contained in the blocks cannot be modified, which consequently makes it more difficult to alter results or rig matches, thus better protecting both players and bettors.³⁶

Likewise, gambling platforms must comply with personal data protection regulations, i.e., operators must guarantee the security of players' data and ensure that it is not misused. When talking about the immutability of the Blockchain, concerns arise about its compatibility with data protection legislation, i.e., with the GDPR and, in the case of Spain, with Organic Law 3/2018 of December 5, on the protection of personal data and guarantee of digital rights.³⁷

As mentioned above, the issues that arise about data protection are related to public systems where any user can access transaction data and operate. However, within private systems, which, as mentioned above, are the ones of interest to this study, data protection can be ensured, as access can be regulated, users' ability to participate can be regulated and personal data information can be modified when required by users. In this sense, the immutability of sports betting data must be respected to ensure the highest reliability of the

system, but two nodes can be appointed to act as data controllers and data processors so that, in the event that a user wants to exercise his ARCO rights, they can modify or delete the information.³⁸

On the other hand, it is possible that the amounts won by a user may not be paid out or, as is sometimes the case, payment may be delayed. By way of example, within the conditions of the Sportium platform, specifically in point 1.10, it is stated that “the results of the events will be published by Sportium on its website within twenty-four hours of the event taking place, and the payment of the prizes will begin after the publication of these results.”³⁹

As mentioned above, the Blockchain offers a host of functionalities, including Smart Contracts.⁴⁰ By hosting such agreements within the proposed private system, payments and bets can be automated, making the whole process more efficient, less susceptible to errors or disputes, and eliminating potential delays.

Furthermore, another of the characteristics provided by Blockchain is transnationality.⁴¹ As we have seen, sports bets placed on digital betting platforms know no borders when they are legally established, i.e., let us remember that by means of a computer device with Internet access, any person can access and bet on the sports he or she deems appropriate. In this way, Blockchain responds to the growing needs of the digital betting market, as it offers a system that knows no borders and respects the rights and interests of operators and service providers.

In addition, the Blockchain could facilitate the acquisition of compulsory licences by service providers by providing a clear and secure system for tracking transactions and the legality of gambling. In this sense, it would contribute to solving some of the key problems in the sector that have been mentioned: The lack of uniform regulation, as each country has its own gambling regulations, and the involvement of unauthorised players.

Finally, as indicated in Law 23/2022 of 2 November amending Law 13/2011 of May 27 on the regulation of gambling, Spain notes the importance of forming a comprehensive regulation on digital tokens. In this regard, the Blockchain functionally enables the integration of digital tokens, which can be used for gambling, offering a faster and more direct alternative to traditional currencies.⁴²

As we can see, Blockchain technology can serve as a system for holding sports bets in a secure and transparent manner, mitigating illicit actions, providing legal certainty and homogenising the various legislations in this area. However, for all this to work, a private model must be adopted to ensure compliance with the rules on betting, the protection of users and the existence of an authority to ensure the proper functioning of the system.

Conclusions

New technologies have revolutionised the way people interact in society and how they relate to each other. With the advent of the Internet and the advent of computing devices, it has become possible for everyone to operate online from anywhere in the world.

Faced with these changes, the sports betting sector has not gone unnoticed and has benefited from the possibility of implementing new technologies in these activities, building digital platforms that allow people to bet online from anywhere and in real time.

As we have seen, the sports betting industry has never been exempted from unlawful actions, however, with the advent of new technologies, the range of possibilities to act against the legal systems has expanded. In this sense, online platforms have opened the door to manipulation of results, fraud and scams that endanger the legal security of these actions, sport and the rights and interests of users, operators and service providers.

Along with the possibility of creating these digital platforms, a revolutionary technology has emerged that is capable of solving, or at least mitigating, all of the aforementioned drawbacks: The Blockchain.

If service providers implement Blockchain technology as a private system in which they can regulate access and act as a central authority together with the entity in charge of guaranteeing the correct execution of the game, such as the Directorate General for the Regulation of Gambling in Spain, greater transparency, traceability and security in sports betting can be ensured. In this sense and as has been pointed out, private systems can be adapted according to the needs of each provider, which allows them to take advantage of their most advantageous characteristics and omit those elements that could contravene legal regulations.

In short, Blockchain technology is presented as a possible solution capable of responding to the risks raised within the sports betting sector. As indicated, if service providers implement a private Blockchain and regulate access, working hand in hand with the authorities responsible for ensuring the correct development of the game, greater legal security can be achieved in this type of activity.

References

- Agustín M. Martínez Vargas, Jhon J. Camargo Flechas, Diana M. Mora Hernández, Pedro L. Alvear Martínez & Cristian C. Castañeda Robles, *Three Dimensions of Sports Betting (Investment, Profit and Effectiveness). Study in Young University Students in Relation to Sports Marketing*, 29 (321) *Lecturas: Educación Física y Deportes* 79-98, (2025).
- Akoh Atadoga, Oluwafunmi A. Elufioye, Toritsemogba T. Omaghomi, Opeoluwa Akomolafe, Ifeoma P. Odilibe & Oluwaseyi R. Owolabi, *Blockchain in Healthcare: A Comprehensive Review of Applications and Security Concerns*, 11(1) *International Journal of Science and Research Archive* 1605-1613 (2024).
- Alejandro Touriño Pena (dir.) & Cristina Villasante (coord.), *Blockchain y smart contracts* (Francis Lefebvre, Madrid, 2022).
- Alex Preukschat, *Blockchain: la revolución industrial de internet*, *Gestión* 2000 28 (2017).
- Antonio R. Fernández Rincón, *Youth and Online Sports Betting Advertising. The Spanish Experience around the 2021 Regulation*, 15 *Correspondencias & Análisis* 105-126 (january-june, 2022).
- Carlos Lalanda Fernández, *Los juegos de azar en internet: aproximación jurídica desde la perspectiva del derecho español. Aproximación jurídica desde la perspectiva del derecho español*, en Alberto Palomar Olmeda, ed., *Régimen del juego en España* 555-610 (Aranzadi, Navarra, España, 2006).
- César Sánchez Muñoz, *Blockchain and Tax Culture in Colombia (Blockchain and Tax Culture in Colombia)*, (20) *Revista Derecho Fiscal* 57-71 (2022).
- David Purdum, *Poker Pro Cory Zeidman Pleads Guilty to Bettor Fraud Scheme*, ESPN. ESPN.Com, December 4 (2024). https://www.espn.com/espn/betting/story/_/id/42776872/poker-pro-cory-zeidman-pleads-guilty-bettor-fraud-scheme.
- Diana Hawashin, Mohamed Nemer, Khaled Salah, Raja Jayaraman, Davor Svetinovic & Ernesto Damiani, *Blockchain and NFT-Based Traceability and Certification for UAV Parts in Manufacturing*, volume 39, 100597 *Journal of Industrial Information Integration* 1 (2024).
- Esperanza Alcaín Martínez, *Régimen jurídico del juego en el Código Civil*, en Alberto Palomar Olmeda, *Régimen del juego en España* 611-636 (Thomson Reuters Aranzadi, 2006).
- Europa Press, *El TSJA confirma tres años de cárcel por estafar a 16 personas simulando ser "profesional" de las apuestas por Internet*, 2024 (Europa Press, November 4, 2024). <https://www.europapress.es/andalucia/sevilla-00357/noticia-tsja-confirma-tres-carcel-estafar-16-personas-simulando-ser-profesional-apuestas-internet-20241104105147.html>
- Francisco Bedecarratz Scholz, *Risks of Criminal Actions with Virtual Currencies: New Challenges for Criminal Law*, vol. 7 n.º 1 *Revista Chilena de Derecho y Tecnología* 79-105 (2018).
- Gregory W. Voss, *Data Protection Issues for Smart Contracts*. *Smart Contracts, Technological, Business and Legal Perspectives* 79-100, 92 (2021).

- Javier Barceló Doménech, *Chaparro Matamoros, P. El contrato de prestación de servicios de juego (Reus, Madrid, 2024)*, (39) Revista Boliviana de Derecho 790-795, 792 (2025).
- Javier Martínez Boada, *Blockchain as a System to Comply with the Obligation of Control and Registration of the Workday of the Employees*, núm. 41 IDP. Revista de Internet, Derecho y Política, UOC, 1-11 (2024).
- Javier Martínez Boada, *Legal Issues Generated by Smart Contracts in B2C Electronic Commerce: Forum, Applicable Jurisdiction And right of Withdrawal within the Spanish Legal System*, (30) Revista de Derecho 1-29, 1 (Universidad Católica Dámaso A. Larrañaga, Facultad de Derecho, 2024).
- Javier Martínez Boada & Ricardo J. Rejas Muslera, *Blockchain Legal Protection: An Analysis from its Functionality and Legal Nature according to the Spanish Legal System*, 13 Revista Chilena de Derecho y Tecnología 444-464, (2024).
- Javier Sánchez Bernal, *Un análisis del convenio del consejo de Europa sobre manipulación de competencias deportivas*, n.º 4 Revista Internacional Transparencia e Integridad 1-9, 3 (2021).
- Jean M. Cárdenas Iglesias & Alberto C. Mendoza de los Santos, *Attributes of Blockchain for Data Security within Enterprises: A Systematic Review*, 22(32) Revista De Ciencia, Tecnología E Innovación 413-424 (2024).
- José. M. Ríos Corbacho, *Deviant Leisure, Online Games and its Victim: This Match is Fixed. And your Bets?*, n.º 19 Revista de victimología, Journal of victimology 99-122 (2025).
- Juan C. Galindo Vácha, *Digital Democracy*, 73Vniversitas 1-15 (2024).
- Juan M. Fernández Torres, *Measures, Risks and Impact of Sports Betting on Vulnerable Groups*, n.º 74, Revista Aranzadi de Derecho y Entretenimiento 18 (2022).
- Lorenzo Ghiro, Francesco Restuccia, Salvatore D'Oro, Stefano Basagni, Tommaso Melodia, Leonardo Maccari & Renato Lo Cigno, *What is a Blockchain? A Definition to Clarify the Role of the Blockchain in the Internet of Thing*, arXiv preprint arXiv:2102.03750, 1-20, 1 (2021).
- María N. Pacheco Jiménez, *From the Blockchain Technology to the Token Economy*, (83) Derecho PUCP 61-87, 65 y ss. (2019).
- Marcelo Moriconi & João P. Almeida, *Online Sports Betting Market and New Technologies: Fertile Ground for Fraud and Crime*, 96 Sociología, Problemas e Práticas 93-116, 93 (2021).
- Michelle Watson, *Former NBA Player Jontay Porter Pleads Guilty to Wire Fraud Conspiracy in Connection to Gambling Case, Prosecutors Say* (CNN July 11, 2024). <https://edition.cnn.com/2024/07/11/us/jontay-porter-guilty-plead-wire-fraud-conspiracy/index.html>
- Michle Finck, *Smart Contracts as a Form of Solely Automated Processing Under the GDPR*, vol. 9 n.º 2 International Data Privacy Law 78-94, 91 (2019).
- Miguel A. Moreno Navarrete, *Las apuestas deportivas online y la protección de los menores. a propósito del anteproyecto de ley de regulación del juego*, (9) Revista Andaluza de Derecho del Deporte 13-30, 18 (2010).
- Miriam Salvador Garca, *Derecho de acceso universal a internet*, en Francisco J. Santamara Ramos (Dir, Derechos digitales 77-95, 82 (Tirant Lo Blanch, Valencia, España, 2024).
- Rafael J. Centeno, *Introducción a la blockchain, a los contratos inteligentes, y a la aplicabilidad del arbitraje a esta tecnología*, n.º 1 Anuario Venezolano de Arbitraje Nacional e Internacional 483-500, 491 (2020).
- Robert R. Schuller, *Blockchain, Mortgage Principles and Registry Interconnection*, (21) Revista Electmica de Derecho de la Universidad de La Rioja (REDUR 111-124, 122 (2023).
- Sinclair Davidson, Primavera De Filippi & Jason Potts, *Economics of Blockchain*. Available at SSRN 2744751, 1-23, 6 (2016).
- Sportium, *Special Sports Betting Rules*, | *Sportium.es*, n.d., obtained from: <https://www.sportium.es/reglasapuestas/reglasparticularesapuestasdeportivas>, accessed 25 February 2025.
- Yolanda Ríos López, *Blockchain, Smart contracts y administración de justicia*, 12 Blockchain Intelligence 1-17, 2 (2021).

Jurisprudence

- AAP S 732/2024 of August 7, 2024, Appeal No. 227/2024, Resolution No. 412/2024, ECLI:ES:APS:2024:732^a
- SAP IB 2120/2024 of September 16, 2024, Appeal No. 1226/2022, Resolution No. 396/2024, ECLI:ES:APIB:2024:2120

SAP J 1244/2022 of October 11, 2022, Appeal No. 734/2022, Resolution No. 190/2022, ECLI:ES:APJ:2022:1244
SAP M 11555/2023 of 5 July 2023, Appeal No. 792/2023, Resolution No. 319/2023, ECLI:ES:APM:2023:11555
SAP M 1920/2024 of 6 February 2024, Appeal No. 1522/2023, Resolution No. 56/2024, ECLI:ES:APM:2024:1920
SAP T 1011/2024 of 17 May 2024, Appeal No. 166/2023, Resolution No. 344/2024, ECLI:ES:APT:2024:1011
SAP Z 637/2023 of 27 April 2023, of 2023, Appeal No. 37/2013, Resolution No. 146/2023, ECLI:ES:APZ:2023:637
STS 326/2019, June 20, 2019, Resolution No. 326/2019, ECLI:ES:TS:2019:2109

Regulations

Council of Europe Convention on the Manipulation of Sports Competitions.

Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC.

Law 23/2022, of November 2, amending Law 13/2011, of May 27, on the regulation of gambling.

Organic Law 3/2018, of December 5, on the protection of personal data and the guarantee of digital rights.

Law 34/2002, of July 11, on information society services and electronic commerce

Law 13/2011, of May 27, on the regulation of gambling.

Royal Decree-Law 16/1977, of February 25, regulating the criminal, administrative and fiscal aspects of games of chance and betting.

Order PCI/759/2019, of July 9, creating and regulating the National Commission to combat the manipulation of sports competitions and fraud in betting.

Order EHA/3080/2011, of November 8, approving the basic regulations of sports betting with counterparty.

Notes

- * Artículo de investigación / Research paper
- 1 Juan C. Galindo Vácha, *Digital Democracy*, 73 Universitas 1-15, 2 (2024).
- 2 Javier Martínez Boada & Ricardo J. Rejas Muslera, *Blockchain Legal Protection: An Analysis from its Functionality and Legal Nature according to the Spanish Legal System*, 13 Revista Chilena de Derecho y Tecnología 444-464, 449 (2024).
- 3 Francisco Bedecarratz Scholz, *Risks of Criminal Actions with Virtual Currencies: New Challenges for Criminal Law*, vol. 7 n.º 1 Revista Chilena de Derecho y Tecnología 79-105, 86 y 96 (2018).
- 4 Agustín M. Martínez Vargas, Jhon J. Camargo Flechas, Diana M. Mora Hernández, Pedro L. Alvear Martínez & Cristian C. Castañeda Robles, *Three Dimensions of Sports Betting (Investment, Profit and Effectiveness). Study in Young University Students in Relation to Sports Marketing*, 29 (321) Lecturas: Educación Física y Deportes 79-98, 98 (2025).
- 5 Marcelo Moriconi & João P. Almeida, *Online Sports Betting Market and New Technologies: Fertile Ground for Fraud and Crime*, 96 Sociología, Problemas e Prácticas 93-116, 93 (2021).
- 6 José. M. Ríos Corbacho, *Deviant Leisure, Online Games and its Victim: This Match is Fixed. And your Bets?*, n.º 19 Revista de victimología, Journal of victimology 99-122, 100 (2025).
- 7 David Purdum, *Poker Pro Cory Zeidman Pleads Guilty to Bettor Fraud Scheme*, ESPN. ESPN.Com, December 4 (2024).
- 8 Michelle Watson, *Former NBA Player Jontay Porter Pleads Guilty to Wire Fraud Conspiracy in Connection to Gambling Case, Prosecutors Say* (CNN, July 11, 2024).
- 9 Europa Press, *El TSJA confirma tres años de cárcel por estafar a 16 personas simulando ser "profesional" de las apuestas por Internet* (November 4, 2024).
- 10 In this respect the following court decisions or case law can be noted: AAP S 732/2024 of August 7, 2024, Appeal No 227/2024, Decision No 412/2024, ECLI:ES:APS:2024: 732A; SAP T 1011/2024 of May 17, 2024, Appeal No. 166/2023, Decision No. 344/2024, ECLI:ES:APT:2024:1011; SAP M 1920/2024 of February 6, 2024, Appeal No. 1522/2023, Decision No. 56/2024, ECLI:ES:APM:2024:1920; SAP M 11555/2023 of July 5, 2023, Appeal No. 792/2023, Decision No. 319/2023, ECLI:ES:APM:2023:11555; SAP Z 637/2023 of April 27, 2023, Appeal No. 37/2013, Decision No. 146/2023, ECLI:ES:APZ:2023:637; or SAP J 1244/2022 of October 11, 2022, Appeal No. 734/2022, Decision No. 190/2022, ECLI:ES:APJ:2022:1244.
- 11 Sinclair Davidson, Primavera De Filippi & Jason Potts, *Economics of Blockchain*. Available at SSRN 2744751, 1-23, 6, (2016).
- 12 Yolanda Ríos López, *Blockchain, Smart contracts y administración de justicia*, 12 Blockchain Intelligence 1-17, 2 (2021).

- 13 Lorenzo Ghire, Francesco Restuccia, Salvatore D'Oro, Stefano Basagni, Tommaso Melodia, Leonardo Maccari & Renato Lo Cigno, *What is a Blockchain? A Definition to Clarify the Role of the Blockchain in the Internet of Things*, arXiv preprint arXiv:2102.03750, 1-20, 1 (2021).
- 14 Javier Martínez Boada, Blockchain as a System to Comply with the Obligation of Control and Registration of the Workday of the Employees, núm. 41 IDP. Revista de Internet, Derecho y Política, UOC, 1-11, 3 (2024).
- 15 Satoshi Nakamoto, *Bitcoin: A Peer-To-Peer Electronic Cash System*, p. 1-9.
- 16 Alejandro Touriño Pena (dir.) & Cristina Villasante (coord.), *Blockchain y smart contracts*. Madrid: Francis Lefebvre, p. 16, (2022).
- 17 Martínez Boada, *supra* note 14, at 4.
- 18 Regulation (EU) 2016/679 of the European Parliament and of the Council of April 27, 2016, on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation).
- 19 Michèle Finck, *Smart Contracts as a Form of Solely Automated Processing Under the GDPR*, vol. 9 n.º 2 International Data Privacy Law 78-94, 91 (2019).
- 20 Rights of Access, Rectification, Cancellation and Opposition.
- 21 Robert R. Schuller, *Blockchain, Mortgage Principles and Registry Interconnection*, (21) Revista Electrónica de Derecho de la Universidad de La Rioja (REDUR) 111-124, 122 (2023).
- 22 César Sánchez Muñoz, *Blockchain and Tax Culture in Colombia*, (20) Revista Derecho Fiscal 57-71, 60 (2022).
- 23 Esperanza Alcáin Martínez, *Régimen jurídico del juego en el Código Civil*, en Alberto Palomar Olmeda, Régimen del juego en España 611-636, 611 (Thomson Reuters Aranzadi, 2006).
- 24 Juan M. Fernández Torres, *Measures, Risks and Impact of Sports Betting on Vulnerable Groups*, n.º 74, p. 18, (2022).
- 25 Carlos Lalanda Fernández, *Los juegos de azar en internet: aproximación jurídica desde la perspectiva del derecho español. Aproximación jurídica desde la perspectiva del derecho español*, en Alberto Palomar Olmeda, ed., Régimen del juego en España 555-610, 564-566, (Aranzadi, Navarra, España, 2006).
- 26 Diana Hawashin, Mohamed Nemer, Khaled Salah, Raja Jayaraman, Davor Svetinovic & Ernesto Damiani, *Blockchain and NFT-Based Traceability and Certification for UAV Parts in Manufacturing*, volume 39, 100597 Journal of Industrial Information Integration 1 (2024).
- 27 Miguel A. Moreno Navarrete, *Las apuestas deportivas online y la protección de los menores. a propósito del anteproyecto de ley de regulación del juego*, (9) Revista andaluza de derecho del deporte 13-30, 18 (2010).
- 28 Javier Barceló Doménech, *Chaparro Matamoros, P. El contrato de prestación de servicios de juego (Reus, Madrid, 2024)*, (39) Revista Boliviana de Derecho 790-795, 792 (2025).
- 29 Miriam Salvador García, *Derecho de acceso universal a internet*, en Francisco J. Santamaría Ramos (Dir.), Derechos digitales 77-95, 82 (Tirant Lo Blanch, Valencia, España, 2024).
- 30 Javier Sánchez Bernal, *Un análisis del convenio del consejo de Europa sobre manipulación de competencias deportivas*, n.º 4 Revista Internacional Transparencia e Integridad 1-9, 3 (2021).
- 31 Antonio R. Fernández Rincón, *Youth and Online Sports Betting Advertising. The Spanish Experience around the 2021 Regulation*, 15 Correspondencias & Análisis 105-126, 119 (enero-junio, 2022).
- 32 Alex Preukschat, *Blockchain: la revolución industrial de internet*, Gestión 2000 28 (2017).
- 33 In this respect see AP IB 2120/2024 of September 16, 2024, Appeal No. 1226/2022, Decision No. 396/2024, - ECLI:ES:APIB:2024: 2120 which establishes a care guardianship for compulsive gambling addiction for “the taking of decisions of economic content, such as effective monitoring of current accounts, income, expenditure, opening bank accounts, direct debit of bills, use of credit/debit cards, other similarly complex aspects, buying and selling, loans, donations, other acts of disposal or encumbrance of assets.”
- 34 By way of example, the proposal to give the Labour Inspectorate access to monitor the working time records of companies by author Martínez Boada, *supra* note 14.
- 35 Jean M. Cárdenas Iglesias & Alberto C. Mendoza de los Santos, *Attributes of Blockchain for Data Security Within Enterprises: A Systematic Review*, 22(32) Revista De Ciencia, Tecnología E Innovación 413-424, 413 (2024).
- 36 Akoh Atadoga, Oluwafunmi A. Elufioye, Toritsemogba T. Omaghomi, Opeoluwa Akomolafe, Ifeoma P. Odilibe, & Oluwaseyi R. Owolabi, *Blockchain in Healthcare: A Comprehensive Review of Applications and Security Concerns*, 11(1) International Journal of Science and Research Archive 1605-1613, 1605 (2024).
- 37 Gregory W. Voss, *Data Protection Issues for Smart Contracts*. Smart Contracts, Technological, Business and Legal Perspectives 79-100, 92 (2021).
- 38 Martínez Boada, *supra* note 14, at 7.
- 39 Sportium, *Special Sports Betting Rules*, Sportium.es, n.d.
- 40 R. J. Centeno, *Introducción a la blockchain, a los contratos inteligentes, y a la aplicabilidad del arbitraje a esta tecnología*, n.º 1 Anuario Venezolano de Arbitraje Nacional e Internacional 483-500, 491 (2020).
- 41 Javier Martínez Boada, *Legal Issues Generated by Smart Contracts in B2C electronic Commerce: Forum, Applicable Jurisdiction and Right of Withdrawal within the Spanish Legal System*, (30) Revista de Derecho 1-29, 1 (2024).
- 42 María N. Pacheco Jiménez, *From the Blockchain Technology to the Token Economy*, (83) Derecho PUCP 61-87, 65 y ss. (2019).

About the Author

Graduated in Law, Lawyer, Expert in ICT Law and Compliance, Professor and PhD in Law from Camilo José Cela University. Professor and Quality Coordinator at the Higher Polytechnic School of Technology and Science of Camilo José Cela University, Madrid, España.

Licencia Creative Commons CC BY 4.0

Cómo citar este artículo / How to cite this article: Javier Martínez Boada, *Fraud Control Through the Use of Blockchain in Sports Betting under the Spanish Legal System*, 74 *Vniversitas* (2025), <https://doi.org/10.11144/Javeriana.vj74.fctb>