

No. 5 - 2010

The Alderney eGambling (Amendment) Regulations, 2010

<i>Made</i>	<i>24th May, 2010</i>
<i>Coming into operation</i>	<i>24th May, 2010</i>
<i>Laid before the States</i>	<i>19th July 2010</i>

THE ALDERNEY GAMBLING CONTROL COMMISSION, in exercise of the powers conferred on it by sections 22 and 27 of the Alderney eGambling Ordinance, 2009^a, hereby makes the following Regulations:-

Amendment to the 2009 Regulations.

1. The 2009 Regulations are amended as follows.
2. In regulation 265(1) of the 2009 Regulations, in paragraph (a) of the definition of "**annualised net gaming yield**" for "Ordinanceh", substitute "Ordinance".
3. In Schedule 14 of the 2009 Regulations for "Alderney eGambling Regulations, 2006", substitute "Alderney eGambling Regulations, 2009".
4. In paragraph 7(1)(a) of Schedule 16 of the 2009 Regulations for "regulation 4(e)", substitute "regulations 4(e), 6(e) and 60(d)".
5. In paragraph 7(2) of Schedule 16 of the 2009 Regulations for "a copy

^a Ordinance No. X of 2009.

of that disclosure shall be provided to the Commission", substitute "it shall notify the Commission of the date of the disclosure and the number of suspicious transaction reports made in relation to that disclosure".

6. For paragraph 9(4)(b) of Schedule 16 of the 2009 Regulations substitute –

"(b) shall be made available on a timely basis –

(i) in respect of customer due diligence, transaction documents and records relating to sub-paragraphs (3)(a), (3)(c), (3)(d) and (3)(e), to the Financial Intelligence Service, an officer of police, the Commission, the MLRO, nominated officer or any other person where such documents or customer due diligence information are requested pursuant to these Regulations or any relevant enactment, and

(ii) in respect of records relating to sub-paragraph (3)(b), to the Financial Intelligence Service, a prescribed police officer, the MLRO or the nominated officer."

7. In paragraph 10(1) of Schedule 16 of the 2009 Regulations –

(a) for the definition of "**Financial Intelligence Service**", substitute -

""**Financial Intelligence Service**" means the division of the Financial Investigation Unit, comprising those officers of police and other persons assigned to the division for the purpose of the receipt, analysis and dissemination within the Bailiwick of Guernsey, and elsewhere, of disclosures under Part I of the Disclosure Law or section 12 of the Terrorism Law, which are more commonly known or referred to as suspicious transaction reports or suspicious activity reports,"

- (b) immediately after the definition of "**Financial Intelligence Service**", as substituted by subparagraph (a), insert -

""**Financial Investigation Unit**" means that branch of the Customs and Immigration Service responsible for the investigation of financial and economic crime,"

- (c) immediately after the definition of "**politically exposed person**", insert -

""**prescribed police officer**" means an officer of police who is a member of the Financial Intelligence Service," and

- (d) delete paragraph (a) from the definition of "**relevant enactments**".

Interpretation.

8. (1) In these Regulations, "**the 2009 Regulations**" means the Alderney eGambling Regulations, 2009^b.

^b Statutory Instrument 1/2010

(2) Words defined in the Gambling (Alderney) Law, 1999, as amended^c, the Alderney eGambling Ordinance, 2009^d and the Alderney eGambling Regulations, 2009^e have the same meaning when used in these Regulations, unless the context otherwise requires or the contrary intention is expressed.

(3) The Interpretation (Guernsey) Law, 1948^f applies to the interpretation of these Regulations as it applies to the interpretation of an enactment in force in the Island of Guernsey.

(4) Any reference in these Regulations to an enactment is a reference thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

9. These Regulations may be cited as the Alderney eGambling (Amendment) Regulations, 2010 and shall come into force on the 24th May 2010.

Dated this 24th day of May, 2010.

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JOHN GODFREY

Chairman of the Alderney Gambling Control Commission

for and on behalf of the Commission.

^c Order in Council No. XIV of 1999; No. XXVII of 2001; Ordinance No. VII of 2006.

^d Ordinance No. X of 2009.

^e Statutory Instrument 1/2010

^f Ordres en Conseil Vol. XIII, p. 355.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are made by the Alderney Gambling Control Commission under the Alderney eGambling Ordinance, 2009 and amend the Alderney eGambling Regulations, 2009.

The principal purpose of these Regulations is to reflect the recent changes made to the Disclosure (Bailiwick of Guernsey) Law, 2007 and the Terrorism and Crime (Bailiwick of Guernsey) Law, 2002 and their respective Regulations. In particular, they make reference to a prescribed police officer. A prescribed police officer means a police officer who is a member of the Financial Intelligence Service.

These Regulations come into force on 24 May 2010.

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