

Island of



Guernsey

## Ordinance of the States

**XII**  
**2010**

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Made .....24th March, 2010

Coming into Operation .....31st March, 2010

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### **The Alderney eGambling (Operations in Guernsey) (Amendment) Ordinance, 2010**

## **The Alderney eGambling (Operations in Guernsey) (Amendment) Ordinance, 2010**

**THE STATES**, in pursuance of their Resolutions of the 1<sup>st</sup> June, 2006<sup>a</sup> and 24<sup>th</sup> February, 2010<sup>b</sup>, and in exercise of the powers conferred on them by sections 2 and 8(2A) of the Gambling (Guernsey) Law, 1971, as amended<sup>c</sup> and all other powers enabling them in that behalf, hereby order:-

### **Amendment to the 2006 Ordinance.**

1. The Alderney eGambling (Operations in Guernsey) Ordinance, 2006<sup>d</sup> is amended in accordance with the provisions of this Ordinance.

2. In section 1 –

(a) for the phrase "A gambling transaction effected with the holder of an eGambling licence" substitute –

"A gambling transaction –

(a) organised or promoted by or with the holder of a Category 1 eGambling licence, or

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<sup>a</sup> Article XV of Billet d'État No. X of 2006.

<sup>b</sup> Article IX of Billet d'État No. IV of 2010.

<sup>c</sup> Ordres en Conseil Vol. XXIII, p. 109 as amended by Vol. XXIV, p. 400, Order in Council No. XXVII of 1997, No. II of 2001 and No. XXIII of 2001.

<sup>d</sup> Recueil d'Ordonnances, No XLIII of 2006.

(b) effected by or with the holder of a Category 2 eGambling licence, ", and

(b) for "Alderney eGambling Ordinance, 2006" substitute "Alderney eGambling Ordinance, 2009".

3. In section 2(1) –

(a) for the phrase "Where the gambling transaction is effected with an eGambling licensee who holds a full eGambling licence, the conditions are that –" substitute –

"Where the gambling transaction is –

(a) organised or promoted by or with the holder of a Category 1 eGambling licence, or

(b) effected by or with the holder of a Category 2 eGambling licence,

the conditions are that –",

(b) for paragraph "(a)", substitute subparagraph "(i)",

(c) after the phrase "it would be lawful in Alderney to" insert "organise, promote or",

- (d) for paragraph "(b)", substitute subparagraph "(ii)",
- (e) for "licensee to effect the transaction, or to negotiate or enter into" substitute "holder of the licence to effect the transaction, or for the holder of the licence to organise or promote",
- (f) for paragraph "(c)", substitute subparagraph "(iii)",
- (g) after the phrase "the place in Guernsey at which the transaction is" insert "organised, promoted or",
- (h) for paragraph "(d)", substitute subparagraph "(iv)",  
and
- (i) after the phrases "the transaction is" and "by virtue of it being" insert "organised, promoted or".

**4.** In section 2(2)-

- (a) after the phrase "Where the gambling transaction is" insert "organised, promoted or",
- (b) for "restricted use eGambling licence" substitute "Temporary eGambling licence",
- (c) in paragraph (a), after the word "to" insert "organise, promote or",

- (d) in paragraph (b), for "negotiate or enter into" substitute "organise or promote",
- (e) in paragraph (c), for the number "18" substitute "20",
- (f) in paragraph (d), after the phrase "the place in Guernsey at which the transaction is" insert "organised, promoted or", and
- (g) in paragraph (e) after the phrases "the transaction is" and "by virtue of it being" insert "organised, promoted or".

5. In section 3, for "negotiate and enter into a gambling transaction" substitute "conduct business in the course of which a gambling transaction is negotiated or entered into".

6. In section 4 –

- (a) after the phrase "holder of an eGambling licence" insert "organising, promoting or",
- (b) delete the phrase ", if the transaction were effected in Alderney.", and
- (c) insert a full stop after the "Gambling (Alderney) Law, 1999".

7. In section 5 –

- (a) for the definitions of "eGambling licence", "full eGambling licence" and "restricted use eGambling licence" substitute –

"Category 1 eGambling licence", "Category 2 eGambling licence", "eGambling licence", and "Temporary eGambling licence" have the meanings given by the eGambling Ordinance, ",

- (b) in the definition of "eGambling Ordinance", for "Alderney eGambling Ordinance, 2006" substitute "Alderney eGambling Ordinance, 2009", and
- (c) in the definition of "the Law", after "Gambling (Guernsey) Law, 1971, ", insert "as amended, ".

### Interpretation.

8. (1) In this Ordinance -

"**enactment**" means any Law, Ordinance or subordinate legislation, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any enactment and having legislative effect.

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

**Extent.**

9. This Ordinance shall have effect in the Islands of Guernsey, Herm and Jethou.

**Citation.**

10. This Ordinance may be cited as the Alderney eGambling (Operations in Guernsey) (Amendment) Ordinance, 2010.

**Commencement.**

11. This Ordinance shall come into force on the 31<sup>st</sup> March, 2010.

K.H. TOUGH,  
Her Majesty's Greffier.

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