

No. 5 – 2013

**Alderney Gambling Control Commission**  
**The Alderney eGambling (Amendment) (No.3) Regulations,**  
**2013**

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*Made* 12<sup>th</sup> August 2013  
*Coming into operation* 13<sup>th</sup> August 2013  
*Laid before the States* 18<sup>th</sup> September 2013

**THE ALDERNEY GAMBLING CONTROL COMMISSION**, in exercise of the powers conferred on it by sections 18, 22, and 27 of the Alderney eGambling Ordinance, 2009<sup>a</sup>, and section 11(2) of the Alderney eGambling (Amendment) Ordinance, 2013<sup>b</sup> hereby makes the following Regulations:-

**Commencement of sections 4 and 5 of the 2013 Ordinance.**

1. Sections 4 and 5 of the Alderney eGambling (Amendment) Ordinance, 2013 shall come into force on the 13<sup>th</sup> August, 2013.

**Amendment to the 2009 Regulations.**

2. The 2009 Regulations are amended as follows.
3. For each reference to "foreign gambling associate certificate" or "foreign gambling associate" (whether in the singular or plural case) wherever appearing in the 2009 Regulations substitute "Category 2 associate certificate".
4. In regulation 59(1), immediately before the word "is" insert "holder".
5. In regulation 265(1) of the 2009 Regulations, in sub-paragraph (a) of

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<sup>a</sup> Alderney Ordinance No. X of 2009, as amended by Alderney Ordinance No. XIII of 2010.

<sup>b</sup> Alderney Ordinance No. IX of 2013.

the definition of "**terrorist financing**" after "section 8, 9, 10 or 11 of the Terrorism Law" insert ", or section 9, 10, 11, 12 or 13 of the Terrorist Asset-Freezing (Bailiwick of Guernsey) Law, 2011, or section 2 or 3 of the Al-Qaida and Taliban (Freezing of Funds) (Guernsey) Ordinance, 2011, or section 2 or 3 of the Al-Qaida and Taliban (Freezing of Funds) (Alderney) Ordinance, 2011".

6. In paragraph 8(1)(b)(i) of Schedule 16 to the 2009 Regulations, for "and these Regulations" substitute ", these Regulations, and any relevant guidance issued by the Commission which relates to anti-money laundering and counter terrorist financing".

7. In paragraph 10(1) of Schedule 16 to the 2009 Regulations, in the definition of "**relevant enactments**" –

(a) in item (d), for "the Terrorism (United Nations Measures) (Channel Islands) Order 2001" substitute "the Terrorist Asset-Freezing (Bailiwick of Guernsey) Law, 2011",

(b) in item (e), for "the Al-Qaida and Taliban (United Nations Measures) (Channel Islands) Order 2002" substitute "the Al-Qaida and Taliban (Freezing of Funds) (Guernsey) Ordinance, 2011", and

(c) after item (h) insert –

"(i) the Al-Qaida and Taliban (Freezing of Funds) (Alderney) Ordinance, 2011,

(j) the Disclosure (Bailiwick of Guernsey) Regulations, 2007,

(k) the Terrorism and Crime (Bailiwick of Guernsey) Regulations, 2007,".

**Interpretation.**

8. (1) In these Regulations, "the 2009 Regulations" means the Alderney eGambling Regulations, 2009<sup>c</sup>.

(2) The Interpretation (Guernsey) Law, 1948<sup>d</sup> applies to the interpretation of these Regulations as it applies to the interpretation of an enactment in force in the Island of Guernsey.

(3) 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) (No.3) Regulations, 2013 and shall come into force on the 13<sup>th</sup> August, 2013.

Dated this 12<sup>th</sup> day of August, 2013.

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ISABEL PICORNELL

Member of the Alderney Gambling Control Commission

for and on behalf of the Commission.

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**EXPLANATORY NOTE**

(This note is not part of the Regulations)

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<sup>c</sup> Alderney Statutory Instrument 1/2010, as amended by Alderney Statutory Instrument 5/2010, 6/2010, 3/2011, 4/2012, 2/2013 and 3/2013.

<sup>d</sup> Ordres en Conseil Vol. XIII, p. 355.

These Regulations are made by the Alderney Gambling Control Commission under the Alderney eGambling Ordinance, 2009 and amend the Alderney eGambling Regulations, 2009, as amended ("**2009 Regulations**").

In particular these Amendment Regulations substitute references of "foreign gambling associate certificate" and "foreign gambling associate" to "Category 2 associate certificate" within the 2009 Regulations. These Regulations also bring into force sections 4 and 5 of the Alderney eGambling (Amendment) Ordinance, 2013, which also has the consequence of substituting references of "foreign gambling associate certificate" and "foreign gambling associate" to "Category 2 associate certificate" within the Alderney eGambling Ordinance, 2009.

In addition, these Amendment Regulations require eGambling licensees to incorporate any guidance issued by the Alderney Gambling Control Commission in relation to anti-money laundering and counter terrorist financing within the ambit of their staff training programmes. These Amendment Regulations also update the definition of "terrorist financing" in regulation 265(1) of the 2009 Regulations and the definition of "relevant enactment" in paragraph 10(1) of Schedule 16 to the 2009 Regulations.

These Regulations come into force on the 13<sup>th</sup> August, 2013.

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