

No. 3 - 2015

Alderney Gambling Control Commission

The Alderney eGambling (Amendment) Regulations, 2015

Made *24th March 2015*

Coming into operation *1st April 2015*

Laid before the States *20th May 2015*

THE ALDERNEY GAMBLING CONTROL COMMISSION, in exercise of the powers conferred on it by sections 14, 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 175(2) of the 2009 Regulations –
 - (a) in subparagraph (i), delete "and",
 - (b) in subparagraph (j), for the full stop substitute ";and", and
 - (c) after subparagraph (j), insert the following subparagraph –

^a Alderney Ordinance No. X of 2009, as amended by Alderney Ordinance No. XIII of 2010, Alderney Ordinance No. IX of 2013 and Alderney Ordinance No. XV of 2014.

"(k) its associates."

3. In regulation 180 of the 2009 Regulations, after the full stop insert the following paragraph –

"For the avoidance of doubt, where an associate of an eGambling licensee or Category 2 associate certificate holder is referred to in a licensee or certificate holder's internal control system, the Commission shall refer to the criteria set out in regulation 22, 42 or 67 (as the case may be) in evaluating whether the internal control system satisfies the requirements of the Ordinance and the regulations."

4. In regulation 242 of the 2009 Regulations –

(a) in paragraph (1), for "of the" substitute "of each", and

(b) after paragraph (4) insert –

"(5) An eGambling licensee and a Category 2 associate certificate holder shall by no later than the 20th day of each month submit to the Commission a report in the format set out in Schedule 19A in respect of the number of gambling business associates associated with the eGambling licensee or the Category 2 associate certificate holder during the preceding calendar month."

5. In Schedule 11 to the 2009 Regulations, for sections 1.8 to 1.10 (inclusive) of the list of contents of the application document substitute –

"

1.8 Money Laundering and Financing of Terrorism
("ML/FT")

1.9 Business Associates, Foreign Branches and Subsidiaries
(General)

1.10 Due Diligence on Business Associates to or from which
the Licensee Exports or Imports Players

".

6. In paragraph 11(1)(d) of Schedule 16 to the 2009 Regulations, after "Category 2 eGambling licensee" wherever so appearing insert "or Category 2 associate certificate holder".

7. After Schedule 19 to the 2009 Regulations, insert the following Schedule –

"

Regulation 242(5)

SCHEDULE 19A

**FORMAT OF MONTHLY GAMBLING BUSINESS ASSOCIATE REPORT FOR
eGAMBLING LICENSEES AND CATEGORY 2 ASSOCIATE CERTIFICATE
HOLDERS**



The format of an eGambling licensee or Category 2 associate certificate holder's monthly gambling business associate report to the Commission in respect of regulation 242(5) shall be as follows:

"INDEX

[Calendar Month reporting period]

	Name of Gambling Business Associate (as contained in Part A of section 1.10 of the eGambling licensee or Category 2 associate certificate holder's approved internal control system ("ICS"))	Date Gambling Business Associate added to the eGambling licensee or Category 2 associate certificate holder's approved ICS	Date Gambling Business Associate removed from the eGambling licensee or Category 2 associate certificate holder's approved ICS (leave blank if relationship is ongoing).
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			

CERTIFICATION

I hereby certify that I am duly authorised to submit this certification; that I believe the information in this return is true and to the best of my knowledge and belief; and that having made reasonable enquiries, I have:

1. informed the Alderney Gambling Control Commission, to the best of my knowledge and belief, of any material changes to the statement of structure and organisation of the business and its control, supplied at the time of the application, or subsequently
2. complied to the best of my knowledge and belief, with the requirement to inform the Alderney Gambling Control Commission about key events, and
3. Formed a reasonable opinion that the licensed entity has adequate resources to operate in accordance with the Licensing objectives, the Licensing conditions and codes for the foreseeable future.

Please note that it is an offence under section 24 of the Alderney eGambling Ordinance, 2009 for any person, without reasonable excuse, to give the Alderney Gambling Control Commission information which is false or misleading.

Name	
Position held (Must be a key Individual)	
Date	

Interpretation.

8. (1) In these Regulations, "the 2009 Regulations" means the

Alderney eGambling Regulations, 2009^b.

(2) The Interpretation (Guernsey) Law, 1948^c 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) Regulations, 2015 and shall come into force on 1st April, 2015.

Dated this 24th March, 2015

Lord Faulkner of Worcester

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LORD FAULKNER OF WORCESTER
Chairman of the Alderney Gambling Control Commission
for and on behalf of the Commission.

EXPLANATORY NOTE

(This note is not part of the Regulations)

^b Alderney Statutory Instrument 1/2010, as amended by Alderney Statutory Instrument 5/2010, 6/2010, 3/2011, 4/2012, 2/2013, 3/2013, 5/2013, 4/2014, 6/14 and 1/15.

^c 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 require eGambling licensees and Category 2 associate certificate holders to prepare and submit a monthly report in respect of the number of gambling business associates that are associated with licensee or certificate holder.

These Regulations come into force on the 1st April, 2015.

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