

Alderney Gambling Control Commission

The Alderney eGambling (Amendment) (No.2) Regulations, 2014

Made 17th December, 2014
Coming into operation 17th December, 2014
Laid before the States ,

THE ALDERNEY GAMBLING CONTROL COMMISSION, in exercise of the powers conferred on it by sections 4, 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 66(2) of the 2009 Regulations –
 - (a) for "that licence" substitute "that certificate", and
 - (b) after "any other" insert "certificate,".
3. In regulation 242 of the 2009 Regulations, after paragraph (3) insert –

"(4) A Category 1 eGambling licensee shall by no later than 30 days

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

after the end of each quarter of its financial year submit to the Commission a report in the format set out in Schedule 18A in respect of all operations conducted by the Alderney company that holds the Category 1 eGambling licence during the preceding quarter in question."

4. In Schedule 9 to the 2009 Regulations, -

(a) in section 2 of the Application Form for a Key Individual Certificate –

(i) renumber the tabular paragraph numbered 2C and entitled "Other Members of Household" to paragraph number 2D, and

(ii) renumber the tabular paragraph numbered 2D and entitled "Previous Residences" to paragraph number 2E, and

(b) in section 5 of the Application Form for a Key Individual Certificate, for the tabular paragraph numbered 5B substitute –

"

5B	Have you ever been disciplined in any way by a professional body for whatever reason? <i>(if YES, provide details of date(s) and circumstances)</i>	Yes/No
	Have you ever been the subject of proceedings or disciplinary action by a regulatory body for any reason? <i>(if YES, provide details of date(s) and circumstances)</i>	Yes/No

".

5. After Schedule 18 to the 2009 Regulations, insert the following

Schedule –

"

Regulation 242(4)

SCHEDULE 18A

**FORMAT OF QUARTERLY REPORT FOR CATEGORY 1 eGAMBLING
LICENSEE, IN RESPECT OF ALL OPERATIONS CONDUCTED BY THE
ALDERNEY COMPANY**

The format of a Category 1 eGambling licensee's quarterly report of its management accounts to the Commission in respect of Regulation 242(4) shall be as follows:

ALDERNEY GAMBLING CONTROL COMMISSION



QUARTERLY MANAGEMENT ACCOUNTS of

[INSERT LICENSEE'S NAME]

QUARTER ENDED [*insert day/month/year*]

Contents	Page
Profit and Loss Account	x
Balance Sheet	x
Notes	x

**PROFORMA PROFIT & LOSS ACCOUNT FOR QUARTER
ENDED XX/XX/XX**

	This Quarter	Previous Quarter	Variance
	Currency	Currency	%
Income			
Gross gambling income	x		
Other authorised income	x		
Less Cost of Sales			
Gambling payout (excluding sign up & promotional bonuses)	x		
Revenue share commissions paid *	x		
Net Gaming Yield	<u>x</u>		
Licence fees	x		
Affiliate fees	x		
Gross profit	<u>x</u>		
Administrative expenses	x		
Establishment expenses	x		
Selling and Marketing expenses	x		
Operating profit	<u>x</u>		
Other income/expenses	x		
Net Profit	<u><u>x</u></u>	<u><u>x</u></u>	** <u><u>x</u></u>
Dividends Paid	x		
Closing Balance	<u><u>x</u></u>		

*** Requires pre-approval from the Alderney Gambling Control Commission**

**** If the net profit has risen or fallen by 20% (or more) compared against the net profit from the previous quarter, then you are required to provide details (in the notes) as to the factors that attributed to this rise or fall.**

**PROFORMA BALANCE SHEET AS AT
XX/XX/XX**

FIXED ASSETS	Currency
Intangible assets	X
Tangible assets	X
	<hr/>
	X
	<hr/>
CURRENT ASSETS	
Trade debtors	X
Prepayments	X
Other debtors	X
Other current assets	X
Loans to related parties	X
Cash at bank & in hand	X
Cash at bank - client accounts	X
	<hr/>
	X
CURRENT LIABILITIES	
Bank loans and overdrafts	X
Loans from related parties	X
Trade creditors	X
Amounts due to customers	X
Directors' current accounts	X
Other creditors	X
Social security and other taxes	X
Accruals	X
	<hr/>
	X
NET CURRENT ASSETS	X
LONG TERM LIABILITIES	
Bank loans and overdrafts	X

Directors' loans	X
Loans from related parties	X
	<hr/>
	X
	<hr/>
TOTAL NET ASSETS	X
	<hr/> <hr/>
 CAPITAL AND RESERVES	
Called up share capital	X
Share Premium	X
Other Capital & Reserves	X
Profit and loss account (Current Year)	X
Retained earnings (Past Years)	X
	<hr/>
SHAREHOLDERS' FUNDS	X
	<hr/> <hr/>

NOTES

* Please provide a breakdown of all the revenue share commissions that you have paid during the period

* Show player funds as "cash at bank-client accounts" in the balance sheet only if these are held in separate bank accounts titled as "client accounts"; if no such formal arrangement is in place, include player funds in "cash in bank and at hand" in the balance sheet.

Licensee Revenue Share Commissions paid during quarter ended dd/mm/yy:

Name of Entity 1 : **Amount:**

Name of Entity 2 : **Amount:**

Name of Entity 3 : **Amount:**

Name of Entity 4 : **Amount:**

Name of Entity 5 : **Amount:**

(continue as needed)

Total:

** Please provide explanation/s (in the box below) for profit variance. Kindly note that this is merely required whereby net profit has risen or fallen by 20% or more compared against the net profit from the previous quarter:

Licensee Profit Variance explanation for quarter ended dd/mm/yy:

CERTIFICATION

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

1. informed the Alderney Gambling Control Commission 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 with the requirement to inform the Alderney Gambling Control Commission about key events, and
3. formed a reasoned 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	

6. In Schedule 20 to the 2009 Regulations, for "Schedule 18" substitute "Schedule 18A".

Interpretation.

7. (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.

8. These Regulations may be cited as the Alderney eGambling (Amendment) (No.2) Regulations, 2014 and shall come into force on the 17th December, 2014.

Dated this 17th day of December, 2014.

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

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

^c 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, as amended ("**2009 Regulations**").

In particular these Amendment Regulations require Category 1 eGambling licensees to prepare and submit a quarterly report in respect of the operations conducted by the Alderney company that holds the Category 1 eGambling licence.

These Regulations come into force on the 17th December, 2014.