

ALEXANDER GAMING COMMISSION

Online Gaming Regulations

These Regulations were enacted by the Alexander Gaming Commission on October 10, 2006 pursuant to Part IV of the *Alexander First Nation Gaming Law*.

Preamble The Commission, having received a directive from the Chief and Council of the Alexander First Nation that, in order to maintain order, fairness and high standards for online gaming and gaming related activities conducted within and from the territory of the Alexander First Nation, it is necessary to licence and regulate such online gaming and gaming related activities, hereby enacts as follows.

Part I: Jurisdiction

- Jurisdiction**
1. The Commission may, subject to the provisions of the *Alexander First Nation Gaming Law* and Regulations enacted thereunder, issue the Licences described herein, authorizing online gaming and online gaming related activities that are conducted primarily or exclusively over the internet.
 2. These Regulations apply to all online games conducted by or from premises situated within the Territory, including online games involving players situated both within and outside the Territory.
 3. These Regulations may serve as a basis for the harmonization of regulatory schemes concerning online gaming in other comparable jurisdictions and for co-operation and mutual assistance between the Alexander Gaming Commission and other regulatory bodies. However, these Regulations are not dependent on the ratification or approval of any other governmental or regulatory body.

Part II: Purpose and Prohibition

- Purpose**
4. The purposes of these Regulations are:
 - (a) to provide a lawful basis for the regulation and control of online gaming and online gaming related activities conducted within and from the Territory as a means of promoting and preserving economic development, self-sufficiency and peace, order and good government within the Territory;
 - (b) to ensure that online gaming and online gaming related activities are conducted responsibly, fairly, honestly and in the best interests of Alexander First Nation, its members and all other affected parties;
 - (c) to protect minors and other vulnerable persons from being harmed or exploited by online gaming or gaming related activities.
- Prohibition**
5. Except as permitted by these Regulations, conducting online gaming or online gaming related activities within or from the Territory is prohibited.

Part III: Definitions

6. The definitions provided in the Law have the same meaning in these Regulations.
- Definitions** 7. For the purposes of these Regulations:
- “**Applicant**” means any person who on his or her own behalf or on behalf of another has submitted an application under these Regulations;
- “**Application**” means an application to the Commission for a Licence under these Regulations, including a renewal application;
- “**Appropriate resources**” means financial resources:
- (a) adequate, in the Commission’s sole discretion, to ensure the financial viability of operations conducted under a Licence granted under these Regulations, and
 - (b) demonstrably available from a source that is not, in the Commission’s sole discretion, contrary to any law applicable within the Territory;
- “**Appropriate services**” means the services of persons who have appropriate experience to ensure the proper and successful conduct of online games;
- “**Approved agent**” means a person or persons approved by the Commission to carry out any of the functions set forth in these Regulations, for and on behalf of the Commission;
- “**Authorized game**” means an online game that a Licence holder is permitted to conduct under the Law and these Regulations;
- “**Commission**” means the Alexander Gaming Commission;
- “**Comparable jurisdiction**” means any licensing jurisdiction other than Alexander which has regulations comparable to the present Regulations that ensure the integrity of online gaming and suitability of the persons and operations related thereto;
- “**Control system**” means a system of internal controls for the conduct of online games by a Licence holder that includes, but is not limited to, information about the following:
- (a) accounting systems and procedures and charts of accounts;
 - (b) administrative systems and procedures;
 - (c) gaming and accounting software;
 - (d) standard forms and terms;
 - (e) general procedures to be followed for the conduct of any form of online gaming;
 - (f) procedures and standards for the maintenance, security, storage and transportation of online gaming equipment

- (g) procedures for recording gaming transactions and the payment of winnings to players, and
- (h) its auditors;

“Decision” includes:

- (a) conduct engaged in to make a decision;
- (b) conduct related to making a decision, and
- (c) failure to make a decision;

“Dishonest act” includes fraud, misrepresentation, theft and any other act or omission which the Commission deems to be a dishonest act;

“Fit and proper person” means a person who, in the Commission’s sole discretion, is suitable to hold a Licence. In deciding whether a person is a fit and proper, the Commission may have regard to the following matters to the extent they may be appropriate.

- (a) the person’s good character, honesty and integrity;
- (b) the person’s good business reputation;
- (c) the person’s sound current financial position and financial background, and
- (d) whether the person has the appropriate business ability to conduct the proposed activities successfully, and general suitability to be associated with a Licence holder;

“Gaming records” means all records directly or indirectly related to the online games kept by a Licence holder, including but not limited to player account information, wagers placed and outcomes of games played;

“Inspector” means:

- (a) a member of the Commission;
- (b) person holding an appointment as an Inspector under these Regulations, or
- (c) a person who holds an appointment as an inspector under a law of a comparable jurisdiction and is authorized in writing by the Commission to act as an Inspector under these Regulations;

“Key person” means a person who:

- (a) occupies or acts in a managerial position, or carries out managerial functions, in relation to operations carried out under any a Licence, other than a Key Person Licence;
- (b) is in a position to control or exercise significant influence over the operations conducted under a Category A Operating Licence;
- (c) occupies or acts in a position designated in the Licence holder’s approved control system as a key position;

“**Key relationship**” means a relationship between a Licence holder and another person as a result of which the other person is a key person;

“**Licence**” means any type of Licence under these Regulations, including a Category A Operating Licence, a Category B Key Person Licence, a Category C Supporting Services Licence, a Category D Internet Service Provider and Data Center Licence, a Temporary Licence and a Renewal Licence;

“**Licence holder**” means a person to whom the Commission has issued a Licence under these Regulations. The term “Licence holder” will also include, where applicable, the agent of a Licence holder;

“**Material change**” means a change that affects an applicant or Licence holder, including but not limited to:

- (a) the appointment of a new Director;
- (b) the addition of a new Shareholder with ten (10%) per cent or more ownership or controlling interest in the applicant or Licence holder;
- (c) the addition of a new Key Person, or
- (d) a change to a Control System that affects, or may affect, the functionality of an authorized game.

“**Official**” means:

- (a) a member of the Commission;
- (b) an Inspector;
- (c) an Approved Agent, and

any other person acting in an official capacity under the Law or these Regulations;

“**Online game**” means a game in which:

- (a) a prize consisting of money or something else of value is offered or can be won under the rules of the game;
- (b) a player:
 - (i) enters the game or takes any step in the game by means of a telecommunication device, including the Internet, and
 - (ii) gives, or undertakes to give, a monetary payment or other valuable consideration to enter, in the course of, or for, the game, and

- (c) the winner of a prize is decided:
 - (i) wholly or partly by chance, or
 - (ii) by a competition or other activity in which the outcome is wholly or partly dependent on the player's skill;

"Online gaming" means betting or wagering by means of online games accessible from the player's premises or mobile device, in which the player participates through the Internet or other telecommunications medium;

"Online gaming related activities" means any activity or business that the Commission considers reasonably related to online gaming or to the operation of online gaming, including any business that offers goods or services to persons who participate in online gaming conducted from or within the Territory;

"Person" includes an individual, corporation, partnership, limited liability company and any other business entity recognized under the laws applicable within the Territory;

"Player" means a person who has attained the full age of eighteen (18) years and who participates in an online game;

"Player's account" means an account:

- (a) in the name of the player:
 - (i) at a financial institution, or
 - (ii) with a body approved by the Commission, and
- (b) against which the Licence holder has a right to debit the amount of a wager;
- (c) that is established on a basis under which the player may only have direct recourse to the account:
 - (i) to ascertain the balance of funds in the account or to close the account;
 - (ii) to obtain the whole or part of an amount paid into the account as a prize in authorized game, or
 - (iii) as authorized by the Licence holder or the Commission;

"Show Cause Notice" means the notice provided by the Commission to the Licence holder set forth in these Regulations;

"Show Cause Period" means the period set forth in these Regulations;

"Show Cause Procedure" means the procedure set forth in these Regulations;

“Territory” means the territory of the Alexander First Nation;

”URL” means Uniform Resource Locater and is the address of a website on the internet.

Part IV: Licencing – General Provisions

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| Costs of Processing Applications | 8. | An applicant is responsible to the Commission for all costs incurred by the Commission related to the processing of the application. In the event these costs exceed the amount of the original fee required by these Regulations, the Commission will notify the applicant in writing to provide a supplementary fee in such amounts as the Commission may determine. In the event the Commission does not receive payment of the supplementary fee within ten (10) days of the date of the Commission's notice to the applicant, processing of the application will be suspended until the supplementary fee is received. |
| More than one Category | 9. | An applicant may apply for and, if eligible, be granted a Licence in more than one Category and or of more than one type. |
| Investigations | 10. | The Commission, or such person as the Commission may appoint, will conduct a thorough investigation into the matters referred to in these Regulations to determine the applicant's suitability to hold the Licence for which application is made. |
| Licence in another jurisdiction | 11. | The Commission may consider proof that an applicant has been licensed to conduct gaming in another jurisdiction as <i>prima facie</i> evidence of the applicant's suitability to be licenced within the Territory |
| Deciding applications | 12. | Subject to the foregoing section, the Commission will promptly consider an application submitted in accordance with these Regulations and will: <ul style="list-style-type: none"> (a) grant the application and issue the requested Licence; (b) deny the application and not issue the requested Licence, or (c) return the application to the applicant with a request for additional information or direction regarding any amendments to the application that may be required. |
| Reasons for denial | 13. | In the event an application is denied, the Commission will give its reasons for the denial in writing to the applicant. |
| Discretion to deny | 14. | The Commission, in its sole discretion, may deny an application even if the applicant satisfies the requirements of these Regulations. |
| Form of Licences | 15. | All Licences will be in the form prescribed by the Commission and will, in addition to any other matter which the Commission deems to be appropriate, specify: <ul style="list-style-type: none"> (a) the name, address, telephone number, fax number and e-mail address of the Licence holder; (b) the category and type of Licence; (c) the commencement and termination dates of the Licence; |

- (d) any other terms and conditions that are in the public interest and that the Commission, in its sole discretion, considers necessary or desirable;
- (e) a clause stating that the Commission and its members, employees and agents are not liable for any damages, losses, costs or liabilities incurred by a Licence holder, and
- (f) a clause stating that the Licence holder has agreed to indemnify the Commission against any claims, demands or actions and any resulting damages, awards or costs (including legal costs) brought by any third party against the Commission in relation to the acts or omissions of a Licence holder.

**Terms and
Conditions of
Licences**

16. A Licence granted by the Commission:
- (a) is subject to the provisions of these Regulations;
 - (b) may be amended, suspended or revoked for any breach of the Law, these Regulations, the terms and conditions of the licence or any direction issued by the Commission;
 - (c) is not valid unless and until the prescribed fees have been paid in full;
 - (d) may not be sold, transferred, mortgaged or assigned, and
 - (e) is separate and distinct from any other Licence that a Licence holder may hold.

Part V: Categories and Types of Licences

17. The Commission may issue licences in the following categories and of the following types:

Category A

CATEGORY A: OPERATING LICENCES. Under Category A, the Commission may issue the following types of Licences:

Casino Licence
Sportsbook Licence
Poker Licence
Multi-Game Licence
Special Games Licence
Network Licence

Category B

CATEGORY B: KEY PERSON LICENCES.

Category C

CATEGORY C: SUPPORTING SERVICES LICENCES. Under Category C, the Commission may issue the following types of Licences:

Software Provider Licence
Payment Processor Licence

Category D

CATEGORY D: INTERNET SERVICE PROVIDER AND DATA CENTRE LICENCE.

Part VI: Category A Operating Licences

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| Determination of type of Licence | 18. | The applicant will make the initial determination as to which type or types of Category A Operating Licence it may require for the purpose of its operations. Upon receipt of an application, the Commission, in its sole discretion, will decide whether the application has been submitted for the appropriate type or types of Category A Operating Licence or whether the application should be amended or re-submitted. |
| One type only | 19. | <p>Unless the Commission otherwise directs, applications for the following types of Category A Operating Licences should be submitted by applicants who intend to offer online games that are of one type only:</p> <p>Casino Licence: card (other than poker), slots and table games that are normally found in a terrestrial casino, including but not limited to: blackjack, roulette, craps and slots;</p> <p>Sportsbook Licence: sporting other events, the outcome of which are determined by events or circumstances that are external to, and independent from, the Licence holder's Control System;</p> <p>Poker Licence: poker games or all kinds in which the players provide the bank, rather than the house.</p> |
| Multi-Game | 20. | Unless the Commission otherwise directs, applications for a Multi-Game Licence should be submitted by applicants who intend to offer more than one of the types of online games that are described in the preceding section 19. |
| Special Games | 21. | Unless the Commission otherwise directs, applications for a Special Games Licence should be submitted by applicants who intend to offer one or more types of online games that do not fall within the descriptions in section 19. |
| Network | 22. | Unless the Commission otherwise directs, applications for a Network Licence should be submitted by applicants who intend to provide a network or aggregator to be used by other operators for the purpose of offering online games, but who will not itself be operating any online games. |
| One or more types | 23. | An applicant may apply for one or more types of Category A Operating Licences. Unless the Commission otherwise directs, each application will be considered to be separate and distinct from any other application an applicant submitted by the same applicant. |
| Requirements for granting a Licence | 24. | <p>The Commission may grant an application for a Category A Operating Licence only if the applicant satisfies all of the following requirements:</p> <p>(a) The applicant has submitted to the Commission:</p> <ul style="list-style-type: none"> (i) a duly completed "Application for a Category A: Operating Licence", in the form attached as Schedule "A" to these Regulations; (ii) an Operating Licence application fee in the amount of US\$20,000.00; (iii) a duly completed "Business Entity Information Form", in the form attached as Schedule "E" to these Regulations; |

(iv) except as otherwise directed by the Commission, duly completed "Multi-Jurisdictional Personal History Disclosure" forms, in the form attached as Schedule "F" to these Regulations, for each:

1. Director;
2. Shareholder with ten (10%) per cent or more ownership of or controlling interest in the applicant;

(v) a duly completed "Application for a Category B: Key Person Licence", in the form attached as Schedule "B" to these Regulations, for each of the applicant's key persons, as defined herein;

(vi) key person application fees in the amount of US\$5,000.00 for each key person for whom an application is submitted;

(vii) a duly completed "Control System Submission", in the form attached as Schedule "G" to these Regulations;

(viii) except as otherwise directly by the Commission, a control system analysis fee in the amount of US\$20,000.00.

(b) The Commission is satisfied that the applicant is:

(a) a business entity incorporated in any jurisdiction that does not prohibit the applicant from holding an Operating Licence issued by the Commission;

(b) a business entity that has a good business reputation, sound current financial position and financial background;

(c) owned and controlled by persons that are of good character, honesty and integrity;

(d) the owner or licensee of a control system that is suitable for the purpose of conducting online gaming and online gaming related activities;

(e) the Commission and the Applicant have agreed on the design of, and implementation schedule for, a Continuous Compliance Program.

Exemptions 25. Upon receiving an applicant's request to do so, the Commission may direct that an applicant is not required to:

(a) Submit "Multi-Jurisdictional Personal History Disclosure" forms for one or more of the persons listed in paragraph 24(a)(iv), if the Commission is satisfied that:

(i) The applicant is a publicly listed company;

(ii) It has been provided with sufficient information about the applicant to determine that the requirements of paragraphs 24b)(i), (ii) and (iii) have been satisfied, and

(iii) It is not contrary to the Commission's mandate under the Law to so direct;

(b) Submit some or all of the control system analysis fee required by paragraph 24(a)(viii), if the Commission is satisfied that the software used in the applicant's control system has been provided by the holder of a Category C Supporting Services Licence.

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| Term | 26. | A Category A Operating Licence may be granted for a term not exceeding three (3) years but may be renewed an unlimited number of times. |
| Locating within the Territory | 27. | For all purposes of that part of its operation that is located within the Territory, the holder of a Category A Operating Licence must locate its servers on the premises, and utilize the services of, the holder of a Category D Internet Services Provider and Data Centre Licence. For greater certainty, the holder of a Category A Operating Licence may locate part of its operations outside the Territory, provided that that part of its operations is licenced and regulated by a jurisdiction recognized by the Commission. |

Part VII: Category B Key Person Licences

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| Deemed Key Persons | 28. | <p>For the purposes of these Regulations persons holding the following titles or performing the functions normally associated these titles, are deemed to be key persons of an applicant or Licence holder:</p> <ul style="list-style-type: none"> (a) Chief Executive Officer; (b) Chief Operating Officer; (c) Chief Financial Officer; (d) Chief Technology Officer; (e) Office Manager. |
| Requirements for granting a Licence | 29. | <p>The Commission may grant an application for a Category B Key Person Licence only if the applicant satisfies all of the following requirements:</p> <ul style="list-style-type: none"> (a) the applicant has submitted to the Commission: <ul style="list-style-type: none"> (i) a duly completed "Application for a Category B: Key Person Licence", in the form attached as Schedule "B" to these Regulations; (ii) a letter from the Category A or D Licence holder addressed to the Commission confirming the existence or proposed existence of the key relationship; (iii) a Key Person Licence application fee in the amount of US\$5,000.00; (iv) duly completed "Multi-Jurisdictional Personal History Disclosure" forms, in the form attached as Schedule "F" to these Regulations; (b) The Commission is satisfied that the applicant is a person of good character, honesty and integrity. |
| Accepting employment as Key Person | 30. | A person must not accept employment as a key person with the holder of a Category A or D licence, or agree to carry out as an employee the duties of a key person, unless the person is a Key Person licensee. |
| Employing Key Persons | 31. | The holder of a Category A or D licence must not employ a person to carry out the functions of a key person, unless the person is a Key Person licensee. |

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| Commission direction regarding Key Persons | 32. | Notwithstanding any other provision of these Regulations, If the Commission reasonably believes a person, other than a Key Person licensee, is a Key Person, the Commission may, by written notice given to the person, with copies to the Category A or D Licence holder with whom the key relationship exists, direct the person either to apply for a key person licence or to terminate the relevant key relationship, within seven (7) days of receiving the notice. |
| Compliance with direction | 33. | The person must comply with the Commission's direction within seven (7) days of receiving the notice or such other period of time that the Commission may specify in the notice. |
| Termination of key relationship | 34. | If the Commission does not approve an application for a key person licence made by a person of whom a direction has been made under the foregoing sections, the Commission may, by written notice given to the person, with copies to the Category A or D Licence holder with whom the key relationship exists, require the person to terminate the relevant key relationship within the time stated in the notice and the person must comply with the requirement within the time stated in the notice. |
| No liability | 35. | A person does not incur any liability as a result of action taken to comply with a notice under this section. |
| Failure to comply | 36. | If a direction or requirement is made of a person under the foregoing sections and the person fails to comply with the requirement, the Commission may, by written notice given to the Category A or D Licence holder with whom the key relationship exists, require the Licence holder to take any necessary action to terminate the key relationship within the time stated in the notice and the Licence holder must comply with the requirement. |
| Term | 37. | A Category B Key Person Licence may be granted for a term not exceeding one (1) year but may be renewed an unlimited number of times. |

Part VIII: Category C Supporting Services Licences

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| Requirements for granting a Licence | 38. | <p>The Commission may grant an application for a Category C Supporting Services Licence only if the applicant satisfies all of the following requirements:</p> <p>(a) The applicant has submitted to the Commission:</p> <ul style="list-style-type: none"> (i) a duly completed "Application for a Category C: Supporting Services Licence", in the form attached as Schedule "C" to these Regulations; (ii) a Supporting Services Licence application fee in the amount of US\$10,000.00; (iii) a duly completed "Business Entity Information Form", in the form attached as Schedule "E" to these Regulations; (iv) except as otherwise directed by the Commission, duly completed "Multi-Jurisdictional Personal History Disclosure" forms, in the form attached as Schedule "F" to these Regulations, for each: <ul style="list-style-type: none"> 1. Director; 2. Shareholder with ten (10%) per cent or more ownership of or controlling interest in the applicant; (v) a duly completed "Business and Systems Report", in the form attached as Schedule "H" to these Regulations; |
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(vi) except as otherwise directly by the Commission, a business and systems analysis fee in the amount of US\$10,000.00.

(b) The Commission is satisfied that the applicant is:

(i) a business entity incorporated in any jurisdiction that does not prohibit the applicant from holding an Supporting Services Licence issued by the Commission;

(ii) a business entity that has a good business reputation, sound current financial position and financial background;

(iii) owned and controlled by persons that are of good character, honesty and integrity;

(iv) the owner or licensee of a business and of systems that are suitable for the purpose of providing supporting services to the holders of Category A and D Licences.

Exemptions 39. Upon receiving an applicant's request to do so, the Commission may direct that an applicant is not required to:

(a) submit "Multi-Jurisdictional Personal History Disclosure" forms for one or more of the persons listed in paragraph 38(a)(iv), if the Commission is satisfied that:

(i) the applicant is a publicly listed company;

(ii) it has been provided with sufficient information about the applicant to determine that the requirements of paragraphs 38(b)(i), (ii) and (iii) have been satisfied, and

(iii) it is not contrary to the Commission's mandate under the Law to so direct;

(b) submit some or all of the business and system analysis fee required by paragraph 38(a)(viii), if the Commission is satisfied that the business model and systems used by the applicant have been previously analyzed and certified by:

(i) an accounting and/or testing agency accredited by the Commission, or

(ii) an accounting and/or testing agency the Commission deems to be reputable.

Term 40. A Category C Supporting Services Licence may be granted for a term not exceeding three (3) years but may be renewed an unlimited number of times.

Part IX: Category D Internet Service Provider and Data Centre Licence

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| Exclusivity | 41. | Notwithstanding any other provision of these Regulations, the Commission will not issue more than one (1) Category D Internet Service Provider and Data Centre Licence. |
| Requirements for granting a Licence | 42. | <p>The Commission may grant an application for a Category D Internet Service Provider and Data Centre Licence only if the applicant satisfies all of the following requirements:</p> <p>(a) the applicant has submitted to the Commission:</p> <ul style="list-style-type: none"> (i) a duly completed "Application for a Category D: Internet Service Provider and Data Centre Licence", in the form attached as Schedule "D" to these Regulations; (ii) an Internet Service Provider and Data Centre Licence application fee in the amount of US\$10,000.00; (iii) documentation identifying the applicant as a business entity established and empowered by the Alexander First Nation, acting through its Chief and Council; (iv) a duly completed "ISP/DC Submission", in the form attached as Schedule "I" to these Regulations; (v) except as otherwise directly by the Commission, an ISP/DC analysis fee in the amount of US\$25,000. <p>(b) The Commission is satisfied that the applicant is:</p> <ul style="list-style-type: none"> (i) a business entity established and empowered by the Alexander First Nation, acting through its Chief and Council; (ii) operates its business from premises that are wholly or primarily situated with the Territory; (iii) the owner and operator of an internet service provider and data centre that is suitable for the purpose of offering hosting and co-location services to the online gaming industry. |
| Term | 43. | A Category D Internet Service Provider and Data Centre Licence may be granted for a term not exceeding ten (10) years but may be renewed an unlimited number of times. |
| Prohibition | 44. | A Category D Internet Service Provider and Data Centre Licence holder must not allow an online gaming operator to utilize the services and facilities of the Category D Internet Service Provider and Data Centre Licence holder for the purpose of providing online gaming to the public, unless the online gaming operator holds a valid Class A Operating Licence. |
| Breach | 45. | A breach of section 44 may result in the immediate suspension or revocation of the Category D Internet Service Provider and Data Centre Licence. |

Part X: Annual Licencing Fees

- Annual Fee Schedules** 46. In addition to any other fees provided in these Regulations, Licence holders will pay, in advance, annual licencing fees as follows:
- Category A Operating Licences – all types:
- If the Licence holder operates 1 – 10 URL's: US\$20,000.00
 If the Licence holder operates 11 – 25 URL's: US\$30,000.00
 If the Licence holder operates more than 25 URL's: US\$40,000.00
- Category B Key Person Licences: US\$5,000.00
- Category C Supporting Services Licences: US\$10,000.00
- Category D Internet Service Provider and Data Centre Licence: US\$20,000.00
- Reducing and increasing annual licencing fees** 47. The Commission may, in its sole discretion:
- (a) reduce an annual licencing fee by up to 10%, when the Commission is satisfied that the Licence holder has operated in an exemplary fashion throughout the previous year;
- (b) increase the annual licencing fee by up to 10%, when the Commission determines that in the previous year the Licence holder:
- (i) attracted an inordinate number of complaints or concerns;
- (ii) breached any provision of these Regulations;
- (iii) generally operated in a fashion deserving of sanction.
- Written notice** 48. If the Commission reduces or increases a Licence holder's annual licencing fee in accordance with the preceding section, it will provide written notice of such reduction or increase to the Licence holder with reasons.
- Payment of annual licencing fees** 49. Annual licencing fees, including any increase or reduction as provided in the preceding section 47, must be paid in full:
- (a) in the case of an applicant to which a Licence has been granted, before the date on which the Licence is to commence;
- (b) in the case of Licence holders, prior to the date on which the term of the Licence terminates.
- Failure to pay** 50. Failure to pay in full the annual licencing fees provided in these Regulations will result in the suspension or revocation of the Licence in question.

Part XI: Security

- Providing security** 51. When the Commission, in its sole discretion, deems it necessary, an applicant or Licence holder must provide security for the obligations incurred by its operations, as directed by the Commission.
- Use of security** 52. In the event an applicant or Licence holder does not fulfill its obligations to the Commission or to a player, the Commission may take such measures as may be required to use the security provided by the Licence holder to satisfy the obligation in question.
- Terms** 53. The Commission will determine the type and amount of security that an applicant or Licence holder must provide, how the security is to be held and for what period of time.
- Types of Security** 54. The types of security may be one or more of the following:
- (a) a bond;
 - (b) insurance;
 - (c) a lien or charge against:
 - (i) physical assets;
 - (ii) accounts receivable;
 - (iii) internet domain names, or
 - (iv) client lists;
 - (d) a cash deposit, or
 - (e) such other type of security that the Commission may direct.
- Variation** 55. The type and amount of security may be varied by the Commission, in its sole discretion, or upon application by a Licence holder.

Part XII: Temporary Licences

- Issuance of temporary Licences** 56. After receiving an application for a Category A, C or D Licence, accompanied by the required forms and fees, and pending the completion of the Commission's investigations into the application and matters related thereto, the Commission may, at the request of the applicant, issue a temporary Category A, C, or D Licence.
- No Category B** 57. Under no circumstances will the Commission issue a temporary Category B Key Person Licence.
- Requirements for issuing temporary Licences** 58. The Commission will only issue a temporary Category A, C or D Licence when it is satisfied that:
- (a) the applicant appears to be suitable and is likely to be issued a Category A, C or D Licence;

(b) it is not contrary to the public interest to issue a temporary a Category A, C or D Licence.

No obligation 59. The issuance of a temporary Category A, C or D Licence does not impose any obligation on the Commission to issue a Category A, C or D Licence.

Suspension or revocation 60. Any breach of the Law or these Regulations by the holder of a temporary Category A, C or D Licence may result in the immediate suspension or revocation of the temporary Licence.

Term 61. A temporary Category A, C or D Licence will not be granted for a period exceeding six (6) months but may be extended, in the Commission's sole discretion, an unlimited number of times.

Application of Regulations 62. The provisions of these Regulations that apply to Category A, C or D Licences also apply, adapted as required, to a temporary Category A, C or D Licence and to the holder of a temporary Category A, C or D Licence.

Part XIII: Renewal Applications

Renewal Application 63. An application to renew a Licence must be submitted to the Commission in a form approved by the Commission (a "Renewal Application").

Information and fee 64. To be considered by the Commission, a Renewal Application must contain all of the information requested in the form and be accompanied by a renewal fee an amount equal to the amount of the application fee paid for the Licence that is to be renewed.

Date for receiving application 65. A renewal application must be received by the Commission not less than three (3) months prior to the termination date of the Licence that is to be renewed.

Deciding applications 66. Subject to the foregoing section, the Commission will promptly consider the renewal application and will:

(a) grant the renewal application and renew the Licence for the same term as the term for which the Licence was originally granted, or such other lesser term as the Commission may, in its sole discretion, deem to be appropriate;

(b) deny the renewal application, or

(c) return the renewal application to the applicant with a request for additional information or direction regarding any amendments to the application that may be required.

Reasons for denial 67. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant.

Consideration of complaints 68. In deciding whether to grant a renewal application, the Commission will consider any complaints, concerns or problems that may have arisen in the previous licensing period related to the Licence holder and will deny the renewal application if, in the Commission's sole discretion, the complaints, concerns or problems are sufficiently serious or numerous.

Application of Regulations 69. A Licence that is renewed under this Part is subject to the all provisions of these Regulations, adapted as required.

Part XIV: Material Change Reports

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| Material Change Report | 70. | Every Licence holder, including every applicant, must report to the Commission any material change to the information provided to the Commission for the purposes of an application (a "Material Change Report"). |
| Receipt of Material Change Reports | 71. | <p>A Material Change Report must be in writing, must clearly identify the material change in question and must be received by the Commission:</p> <p>(a) wherever possible, at least thirty (30) days prior to the date on which the proposed material change is to be effective, or</p> <p>(b) in any event, not later than seven (7) days from the date on which the material change was effective.</p> |
| Failure to report | 72. | Failure to report a material change to the Commission as required by this Part may result in the immediate amendment, suspension or revocation of a Licence to which the change relates. In the case of an application, failure to report a material change is a sufficient ground for denial of the application. |
| Directions | 73. | The Commission will consider the information in a Material Change Report, including a Material Change report that is received after the material change is effective, and will issue such written directions to Licence holder or applicant as the Commission, in its sole discretion, deem necessary and appropriate under the circumstances. |

Part XV: Amendment to Licence

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| Amending a term or condition | 74. | The Commission may amend a term or condition of a Licence if the Commission considers it is necessary or desirable to make the amendment for the proper conduct of authorized games by the Licence holder or that the amendment is otherwise in the public interest. |
| Amendment Notice | 75. | If the Commission decides to amend a term or condition of a Licence, the Commission must promptly give the Licence holder written notice (the "Amendment Notice") of the amendment and the reasons for the amendment. |
| Adding terms or conditions | 76. | The power of the Commission under this section includes the power to add such new terms or conditions as the Commission, in its sole discretion, deems appropriate. |
| Show Cause | 77. | Before amending a term or condition of a Licence, the Commission must follow the Show Cause Procedure set out in these Regulations. |
| Return of Licence | 78. | The Licence holder must return the existing Licence to the Commission within seven (7) days of receiving the Amendment Notice. |
| Amending or replacing | 79. | <p>On receiving the Licence, the Commission will:</p> <p>(a) amend the licence in an appropriate way and return the amended Licence to the Licence holder, or</p> <p>(b) if the Commission does not consider it is practical to amend the Licence, issue a replacement Licence, incorporating the amended terms and or conditions, to the Licence holder.</p> |
| Effective date | 80. | An amendment of conditions takes effect on the date set by the Commission. |

Part XVI: Suspending or Revoking Licences

- Grounds** 81. The Commission may suspend or revoke a Licence on one or more of the following grounds:
- (a) the Licence holder is incorporated in a jurisdiction that no longer permits the Licence holder to hold a Licence issued by the Commission;
 - (b) the Licence holder no longer has, in the Commission's sole discretion, a good business reputation or sound current financial position;
 - (c) one or more of the persons that own, control or are key persons of the Licence holder are no longer, in the Commission's sole discretion, fit and proper;
 - (d) in the case of a Key Person Licence, the person is no longer, in the Commission's sole discretion, fit and proper;
 - (e) the Licence holder is no longer the owner or licensee of a control system that is, in the Commission's sole discretion, suitable for the purpose of conducting online gaming and online gaming related activities;
 - (f) the Licence holder has breached a provision of the Law or these Regulations;
 - (g) the Licence holder has been convicted of an indictable offence, felony or other crime the Commission, in its sole discretion, results in the Licence holder no longer being fit and proper;
 - (h) the Licence holder has contravened a term or condition of its Licence or has failed to pay any fee that the Licence holder is required to pay under these Regulations or as directed by the Commission;
 - (i) the Licence holder has failed to discharge financial commitments to players or in relation to other aspects of the Licence holder's operations or the Commission has reason to believe that such failure is imminent;
 - (j) the Licence holder is insolvent, has been petitioned into bankruptcy or has applied to take advantage of any bankruptcy law;
 - (k) the Licence holder has a trustee, receiver, manager, liquidator or administrator appointed for it under the provisions of the laws of any jurisdiction;
 - (l) the Licence holder applies for, or is compelled by any means or for any reason, for a discontinuance or winding-up;
 - (m) the Licence was obtained by a materially false or misleading representation or in some other improper way, or
 - (n) any other ground that the Commission, in its sole discretion, determines is material and sufficient for the purposes of this section.

Part XVII: Show Cause Procedure

- Show cause notice** 82. Except as provided herein, before amending, suspending or revoking a Licence, the Commission must give the Licence holder a written notice (a “show cause notice”) that:
- (a) states the action (the “proposed action”) the Commission proposes taking;
 - (b) states the grounds for the proposed action;
 - (c) outlines the facts and circumstances forming the basis for the grounds for the proposed action;
 - (d) if the proposed action is a suspension of a Licence, the proposed suspension period, and
 - (e) permits the Licence holder to show within a stated period (the “show cause period”) why the proposed action should not be taken.
- Show cause period** 83. The show cause period will be established by the Commission and will be specified in the show cause notice.
- Interested persons** 84. The Commission must promptly serve a copy of the show cause notice on:
- (a) each person (an “interested person”) the Commission believes has an interest in the Licence if the Commission considers:
 - (i) the person’s interest may be affected adversely by the amendment, suspension or revocation of the Licence, and
 - (ii) it is otherwise appropriate in the circumstances to give a copy of the show cause notice to the person.
- Accepted representations** 85. A person upon whom a copy of a show cause notice is served may make written representations about the matters raised in the notice to the Commission within the show cause period (the “accepted representations”).
- Consideration** 86. The Commission will consider all accepted representations made during the show cause period by:
- (a) the Licence holder, and
 - (b) any interested person upon whom a copy of the show cause notice is served.
- Immediate amendment, suspension or revocation** 87. Notwithstanding any other provision of these Regulations, the Commission may amend, suspend or revoke a Licence immediately, and without the necessity of first following the show cause procedure set out in this Part, if the Commission, in its sole discretion, believes:
- (a) a sufficient ground exists to amend, suspend or revoke the Licence, and
 - (b) the circumstances are so extraordinary that it is imperative to amend, suspend or revoke the Licence immediately to ensure:
 - (i) the public interest is not affected in an adverse and material way, or

- (ii) the integrity of the conduct of authorized games by the Licence holder is not jeopardized in a material way.

- Service** 88. An immediate amendment, suspension or revocation:
- (a) must be effected by written notice served on the Licence holder by fax, email or by posting on the Licence holder's last known place of business and, if applicable, with a copy to the Category D ISP/DC Licence holder;
 - (b) is effective from the moment the notice is served;
 - (c) continues in effect until the Commission otherwise directs.

Part XVIII: Hearings

- Request for hearing** 89. A Licence holder who has received a show cause notice, may, within the show cause period, request a hearing before the Commission to respond to the matters raised in the show cause notice.
- No request** 90. If the Licence holder does not request a hearing within the show cause period, the Commission will base its decision only on the accepted representations.
- Date for hearing** 91. Upon receiving a request for a hearing, the Commission will set a date for the hearing (the "hearing date") and will immediately notify the Licence holder in writing of the hearing date.
- Evidence** 92. At the hearing, the Licence holder will have the opportunity to bring written and oral evidence to respond to the matters raised in the show cause notice.
- Additional rules** 93. The Commission may promulgate additional rules to govern the procedures to be followed at a hearing, in lieu of which proceedings will follow accepted rules of fairness and natural justice.

Part XIX: Decisions to Amend, Suspend or Revoke

- Decisions** 94. If, after considering the accepted representations, or in the case of a hearing, all the written and oral evidence adduced before it, the Commission finds that:
- (a) a ground or grounds exist to amend, suspend or revoke a Licence, or
 - (b) the act, omission or other matter constituting the ground or grounds is of a serious and fundamental nature and either:
 - (i) the integrity of the conduct of authorized games by the Licence holder may be jeopardized in a material way;
 - (ii) the public interest may be affected in an adverse or material way, or
 - (iii) the reputation or credibility of the Alexander First Nation is, or may be, negatively affected;

the Commission may amend or revoke the Licence or suspend the Licence for such period of time and on such conditions of re-instatement as the Commission deems appropriate.

- Direction to rectify** 95. If the Commission directs the Licence holder to rectify a matter and the Licence holder fails to comply with the direction within the time allowed for compliance, the Commission may revoke the Licence or suspend the Licence for such period of time and on such conditions for re-instatement as the Commission deems appropriate.
- Service** 96. The Commission must promptly serve written notice of the decision to amend, suspend or revoke a Licence on the Licence holder and, if applicable, the Category D ISP/DC Licence holder.
- Effective date** 97. A decision to amend, suspend or revoke a Licence takes effect on the date specified by the Commission.
- Reconsideration** 98. If a Licence is under suspension, the Commission may, at the request of the Licence holder, reconsider the duration of the suspension and will promptly inform the Licence holder in writing of its decision.
- Voluntary suspension or revocation** 99. Notwithstanding any other provision of these Regulations, a Licence holder may voluntarily suspend or terminate his, her or its own Licence by giving at least thirty (30) days written notice to the Commission and to the Category D ISP/DC Licence holder, of the Licence holder's intention to do so.
- Annual fees** 100. A voluntary suspension of a Licence does not suspend or interrupt the requirement to pay annual fees for that Licence.

Part XX: Procedure for Removing Equipment and Data

- Removal of equipment and data** 101. In the event a Category A Operating Licence is revoked by the Commission or voluntarily terminated by the Licence holder, the Licence holder must not remove any equipment or data from the Territory until the Licence holder has:
- (a) satisfied its obligations to the Commission, including the payment of fees;
 - (b) provided evidence, satisfactory to the Commission, that the Licence holder has satisfied its obligations to players, the Category D ISP/DC Licence holder and Approved Agents.
- Confirmation** 102. When the requirements of section 101 have been fulfilled, the Commission will provide the Category A Operating Licence holder and the Category D ISP/DC Licence holder with written notice confirming that the Category A Operating Licence holder may remove its equipment and data from the Territory.

Part XXI: Control Systems

- Schedule "G"** 103. A Control System Submission must be in the form, and contain the information required by, Schedule "G".
- Approved control systems** 104. A Category A Operating Licence holder may conduct, or continue to conduct, an authorized game only if:
- (a) the Category A Operating Licence holder is the owner or licensee of control system that has been approved by the Commission, and
 - (b) the authorized game is conducted using the approved control system.

- Material change** 105. A Category A Operating Licence holder may make a material change to an approved control system only:
- (a) if directed by, or with the approval of, the Commission, and
 - (b) in the way directed or approved by the Commission.
- Control system change submission** 106. A Category A Operating Licence holder may make a submission (a “control system change submission”) to the Commission for approval for a material change to the Category A Operating Licence holder’s approved control system.
- Timing of submission** 107. A control system change submission must be made in writing:
- (a) at least ninety (90) days before the Category A Operating Licence holder proposes to start conducting authorized games under the approved control system as proposed to be changed, or
 - (b) if the Commission, in its sole discretion, deems it appropriate, at a later date to be determined by the Commission.
- Particulars** 108. A control system change submission must contain particulars of the proposed material changes of the Category A Operating Licence holder’s approved control system.
- Decisions** 109. The Commission will, with the assistance of its Approved Agents, consider the submission and will, within a reasonable period of time:
- (a) approve the proposed control system or proposed change of the approved control system;
 - (b) refuse to approve the proposed control system or proposed change of the approved control system, or
 - (c) request such additional information as the Commission may require to either approve or refuse the submission.
- Service** 110. The Commission must promptly serve the Category A Operating Licence holder with a written notice of the Commission’s decision to approve or to refuse to approve a control system submission or submission to change a control system.
- Reasons** 111. If the Commission refuses to approve a submission under this section, the written notice must state the reasons for the decision and, if the Commission believes the submission can be rectified to enable the Commission to give an approval, the notice must also:
- (a) explain how the submission may be changed, and
 - (b) invite the Category A Operating Licence holder to resubmit the submission after making the appropriate changes.
- Direction to change** 112. The Commission may, by written notice, direct the Category A Operating Licence holder to change its approved control system within the time, and in the manner stated in the notice and the Category A Operating Licence holder must comply with the direction within thirty (30) days of the date on which the notice is received or such other period of time as the Commission may specify.

113. If the Category A Operating Licence holder does not comply with the Commission's direction, the approval for the Category A Operating Licence holder's control system will be terminated and its Licence may be suspended or revoked.

Part XXII: Continuous Compliance Programs

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| Objectives of program | 114. All Category A Operating Licence holders will be subject to a Continuous Compliance Program, pursuant to which Approved Agents will on a regular basis assess and report to the Commission whether: <ul style="list-style-type: none"> (a) the control system utilized by the Category A Licence holder: <ul style="list-style-type: none"> (i) is functioning in accordance with the standards against which the control system was measured at the time it was first approved; (ii) has not been materially changed from the time it was first approved, unless such material change has also been approved; (b) there are any indications of money-laundering, fraud or collusion in relation to the Licence holder's operations; (c) the Licence holder is meeting its obligations to players in a timely manner. |
| Considerations | 115. The design and implementation of a Continuous Compliance Program for a Category A Operating Licence holder will take into consideration: <ul style="list-style-type: none"> (a) the features of the control system owned or licenced by the Licence holder; (b) the volume and quality of data available for the time period in question; (c) whether the Licence holder is subject to other independent auditing or monitoring programs; (d) whether the Licence holder is a publicly traded company. |
| Discussions and approval of program | 116. The Commission will discuss with a Category A Operating Licence holder the design and implementation of a suitable Continuous Compliance Program, and any changes that may be required to the Program from time to time. However, the Commission will, in its sole discretion, approve the Continuous Compliance Program that will apply to a Category A Operating Licence holder and the Licence holder must comply with the approved Program. |
| Confidentiality | 117. All information obtained by the Commission as the result of a Continuous Compliance Program will be held in the strictest confidence and will be destroyed five (5) years after the date on which it is obtained. |

Part XXIII: Investigations

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| Investigation of applicants | 118. | The Commission will, with the assistance of its Approved Agents, investigate applicants for Licences to assist the Commission in determining whether the applicant is fit and proper to be granted a Licence. |
| Other investigations | 119. | The Commission may at any time investigate a Licence holder if the Commission reasonably suspects the Licence holder is not, or is no longer, fit and proper to hold a Licence. |
| Providing information | 120. | In investigating an applicant or Licence holder, the Commission may, by written notice given to the person, require the person to provide the Commission information or documentation the Commission considers relevant to the investigation and the person must comply with the requirement, failing which the person's application or Licence may be suspended or revoked. |

Part XIV: Approved Agents

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| Functions of Approved Agents | 121. | <p>The Commission may appoint one or more Approved Agents to carry out any of the following functions, for and on behalf of the Commission:</p> <ul style="list-style-type: none"> (a) to investigate whether any person applying for or holding a Licence is a fit and proper person for the purposes of these Regulations and submit a report of its findings to the Commission; (b) to conduct control system reviews and ensure that any person applying for or holding any Licence in the Territory has the necessary level of technical competence, and submit a report of its findings to the Commission; (c) to conduct business and systems reviews and ensure that a business entity is suitable to provide online gaming and online gaming services within and from the Territory. |
| Appointment of Approved Agents | 122. | The Commission may appoint a person as an Approved Agent if it considers that the person has the necessary expertise and is otherwise suitable in consideration of the person's character, business reputation, current financial position and financial background. |
| Investigative program | 123. | The Commission may approve an investigative program in order to verify at any time whether a person is suitable to be an Approved Agent. |
| Scope of authority | 124. | An Approved Agent will be subject to the directives of the Commission and may not act outside of the scope of authority contained in those directives. |
| Term of appointment | 125. | The Commission may appoint a person as Approved Agent for a period of time not to exceed two (2) years, but such appointment may be renewed an unlimited number of times. |

Part XV: Player Protection

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| Underage players | 126. | A Licence holder must not allow a player under the full age of eighteen (18) years to participate in online gaming or online gaming related activities. |
| Systems to prevent underage players | 127. | The Licence holder is responsible for establishing systems to ensure players under the full age of eighteen (18) years do not participate in online gaming or online gaming activities that are under the Licence holder's control. |
| Modification of systems | 128. | In the event the Commission is not satisfied with the systems established by a Licenced holder in accordance with section 127, the Commission may direct the Licence holder to modify its systems or to implement new systems. |
| Forfeiture | 129. | A prize won by a player under the full age of eighteen (18) years by participation in an authorized game contrary to section 126, is forfeited to the Commission. |
| Account balance counters | 130. | A License holder will cause to be displayed on the screen, at all times during the game, a counter which automatically updates and shows the player's current account balance. |
| Reality checks | 131. | The License holder will make available to every player an automatic reality check at intervals of one hour. |
| Reality check requirements | 132. | The automatic reality check will: <ul style="list-style-type: none"> (a) suspend play; (b) clearly indicate the total amount of time the player has been playing for that session; (c) display the player's total winnings and losses for that session; (d) require the player to confirm that the player has read the message; (e) give the player an option to terminate play or return to the game. |
| Player registration | 133. | A Licence holder will not permit a person to participate in any online gambling or related activity, unless that person has registered with the Licence holder in the form specified by the Commission, giving his full name, residential address, age and any other particulars which the Commission may require. |
| No obscene names | 134. | A Licence holder may refuse to register a person as a player in an authorized game under a name that is obscene, indecent or offensive. |

Player accounts	135.	A player is limited to one player account for any URL operated by a Licence holder.
Use of player accounts	136.	A player's account must be established in a manner that allows a player only to: <ul style="list-style-type: none"> (a) have direct access to funds in that account; (b) use some or all of the funds in that account to play an authorized game offered by the Licence holder; (c) obtain the balance of funds in that account and close the account, or (d) obtain the whole or part of the amount paid into that account as a prize in an authorized game or as authorized by the Licence holder or the Commission.
Adequate funds	137.	A Licence holder must not accept a wager from a player in an authorized game unless a player's account has been established in the name of the player and there are adequate funds in the account to cover the amount of the wager.
No credit	138.	Licence holder will not provide credit to a player or a player's account or act as agent for a credit provider to facilitate the provision of credit to a player or a player's account.
Protection of funds in player's account	139.	A Licence holder will keep player's funds separately from the Licence holder's own funds in a player's account held with a credit institution approved by the Commission.
Payment methods	140.	The Licence holder will not accept cash from a player and funds may be received from the player only by any of the following methods: <ul style="list-style-type: none"> (a) credit cards; (b) debit cards or stored value accounts; (c) electronic transfer; (d) wire transfer; (e) cheques; (f) any other method approved by the Commission.
Payouts	141.	A License holder must, at the request of a player in whose name a player's account is established, remit the funds standing to the credit of the account to the player, not later than five (5) working days, if practicable, after receipt of the request.
Same account	142.	An amount may only be remitted by the License holder to the player, to the same account from which the funds paid into the player's account originated.

- Confidentiality** 143. Information provided by, or relating to, a player may not be disclosed by a Licence holder to a third party or used for a purpose other than the purpose for which it was given or obtained unless the disclosure or use is:
- (a) approved in writing by the player;
 - (b) reasonably necessary for the conduct of the activities authorized under a Licence, or
 - (c) required in order to comply with a provision of these Regulations, a direction of the Commission or a final order of a court of competent jurisdiction.
- Monetary prizes** 144. If a player in an authorized game conducted by a Licence holder wins a monetary prize, the Licence holder must immediately credit the amount of the prize to the player's account.
- Non-monetary prizes** 145. If a player in an authorized game conducted by a Licence holder wins a non-monetary prize the Licence holder must:
- (a) have the prize delivered personally or by certified mail to an address provided by the player;
 - (b) give the player written notice of an address at which the prize may be collected, or
 - (c) with the approval of the player, allow the prize to be leveraged into a larger prize.
- Interrupted games** 146. A Licence holder will take all reasonable steps to ensure that the Licence holder's approved control system enables a player whose participation in an authorized game is, after he or she has made a wager, interrupted by a failure of the Licence holder's system, a failure of the player's computer or for any other reason that prevents the player from continuing the authorized game, to resume, on the restoration of the system or computer, his or her participation in the authorized game, that was interrupted, as at the time immediately before the interruption with loss or penalty.
- Inability to continue game** 147. If a Licence holder's system does not enable a player to continue, after the restoration of the system or computer, with an authorized game interrupted by a failure of the Licence holder's system, the player's computer or for any other reason, without loss or penalty the Licence holder will:
- (a) ensure that the game is terminated;
 - (b) refund the amount of the wager to the player by placing it in the player's account;
 - (c) immediately inform the Commission of the incident;
 - (d) refrain from conducting further authorized games if such games are likely to be similarly affected.
- Rules of play** 148. The homepage of a Licence holder's URL must display hyperlinks to full and complete rules of the authorized games being offered.

- Self-limitation** 149. A player may by written or electronic notice to a License holder (a “self-limitation notice”):
- (a) set a limit on the amount the player may wager within a specified period of time;
 - (b) set a limit on the losses the player may incur within a specified period of time;
 - (c) set a limit on the amount of time the player may play in any one session.
- Enforcement of notice** 150. A Licence holder must, within twenty-four (24) hours of receiving a self-limitation notice, ensure that the limits described in the notice are enforced.
- Changing or revoking notice** 151. Subject to the following section, a player who has given a Licence holder a self-limitation notice may change or revoke such limit by written notice or electronic notice given to the Licence holder.
- Cooling off period** 152. A notice increasing or revoking a limit pursuant to section 151 has effect only seven (7) days after the License holder has received such notice.
- Prohibition** 153. A License holder will not accept a wager from a player contrary to a limit set by the player under these Regulations.
- Self-exclusion** 154. A player may, by written or electronic notice to a Licence holder, exclude himself or herself from participating in any online gaming offered by the Licence holder (a “self-exclusion notice”).
- Enforcement of notice** 155. A Licence holder must, within twenty-four (24) hours of receiving a self-exclusion notice, ensure that the exclusion described in the notice are enforced.
- Cooling off period** 156. A player who has given a self-exclusion notice to a Licence holder may not change or revoke such notice until at least seven (7) days after the date on which the notice was given.
- Written notice** 157. Any changes or revocation of a self-exclusion notice must be in writing and signed by the person who gave the notice.
- Prohibition** 158. Unless changed or revoked in accordance with the provisions of these Regulations, a Licence holder must not allow a person who is the subject of a valid self-exclusion notice to engage in online gaming on any URL that is owned or controlled by the Licence holder.
- Applications for prohibition** 159. An application may be made to the Commission in the approved form for an order:
- (a) prohibiting a person from participating in authorized games;
 - (b) revoking an order under paragraph (a).
- Applicants** 160. An application may only be made under section 159 by:
- (a) a person who seeks a prohibition or the revocation of a prohibition against himself or herself;
 - (b) a Licence holder, or
 - (c) a person who satisfies the Commission of a close personal interest in the welfare of the person against whom the prohibition is sought.

- Affected persons** 161. If the application is made by a person other than the person against whom the prohibition is sought or has been imposed (the “affected person”), the Commission must:
- (a) give the affected person written notice of the application and the reasons for it, and
 - (b) invite the affected person to make representations to the Commission in relation to the application within a reasonable time stated in the notice.
- Representations** 162. The Commission must consider representations from the applicant, and if the applicant is not the affected person, the affected person.
- Order** 163. If the Commission is satisfied the order sought in the application should be made in the interests of the affected person and is the public interest, the Commission may make the order, with such terms and conditions as the Commission in its sole discretion deems appropriate.
- Service of order** 164. If an order is made on an application under this Part, the Commission must:
- (a) serve a copy of the order on the applicant and, if the affected person is not the applicant, the affected person, stating the Commission’s decision and the reasons for it;
 - (b) serve copies of the order on all Category A Licence holders.
- Prohibition** 165. A Category A Licence holder upon whom a copy of an order imposing a prohibition has been served must not allow the person who is the subject of the prohibition to engage in online gaming on any URL owned or controlled by the Licence holder, contrary to the prohibition.
- Gaming addiction** 166. A Category A Licence holder will display at all times, in a prominent place, on the entry screen of the URL, a warning of the addiction possibilities of gaming and information and links to other URL’s assisting compulsive gamblers.
- Complaints** 167. Any person may submit to the Commission a complaint concerning any Licence holder.
- Requirements** 168. A complaint must be in writing and must contain clear and unequivocal information about the complainant’s identity, and provide all the relevant details that gave rise to the complaint.
- Investigations** 169. As soon as practicable after a complaint is received, the Commission will inquire into the substance of the complaint and will undertake such investigations as may be required under the circumstances.
- Details to Licence holders** 170. Unless the Commission in its sole discretion directs otherwise, the details of all complaints, including the identity of the complainant, will be provided to the Licence holder against which the complaint is made for response.
- Response** 171. The Licence holder must provide to the Commission a full and detailed response to the complaint within seven (7) days, or such other time as the Commission may direct.
- Additional information** 172. To assist in the resolution of a complaint, the Commission may request additional information from the complainant, the Licence holder or any third person.

- Disposition of complaints** 173. After its investigations of a complaint are complete, the Commission will:
- (a) Dismiss the complaint as unfounded;
 - (b) Uphold the complaint in whole or in part;
 - (c) Direct a Licence holder to take any steps the Commission may, in its sole discretion, deem necessary to resolve the complaint;
 - (d) Direct a Licence holder to pay the costs incurred by the Commission in its investigation of the complaint;
 - (e) Issue any other directions or take any other steps as the Commission, in its sole discretion, deem appropriate under the circumstances.

- Summary dismissal** 174. Notwithstanding any of provision of this Part, the Commission may dismiss a complaint without an inquiry or investigation if the Commission, in its sole discretion, is satisfied that a complaint is on its face vexatious, unfounded or does not fall within the Commission's scope of authority.

Part XXVI: Anti-Money Laundering

- Anti-money laundering** 175. The Commission will establish specific rules and procedures for Licence holders for the purpose of anticipating and preventing suspicious activities whereby monies obtained by illegal means are used for the purpose of online gaming.

- Currency Transaction Reports** 176. License holders will be required to file with the Commission a Currency Transaction Report ("CTR"), in a form to be provided by the Commission, for all currency transactions exceeding Ten Thousand (US\$10,000.00) Dollars. Multiple currency transactions by or on behalf of one person during a Twenty Four (24) hour period will be considered a single transaction.

- Suspicious Activity Reports** 177. License holders will be required to file with the Commission, a Suspicious Activity Report ("SAR"), in a form to be provided by the Commission, if the License holder has reason to believe or suspects that an individual or group of individuals have been involved in one or more transactions totalling more than Five Thousand (US\$5,000) Dollars that:
- (a) involve or may involve funds derived from illegal activity or that are or may be intended to conceal funds derived from illegal activity;
 - (b) are or may be intended to avoid or prevent the filing of a CTR;
 - (c) have no apparent business or other lawful purpose;
 - (d) are not the type normally expected from that particular player, or
 - (e) involve the use of the Licence holder's operations to facilitate criminal activity.

- FATF requirements** 178. License holders will comply with the recommendations of the Financial Action Task Force ("FATF") as they pertain to gaming establishments.

Part XXVII: Advertising

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| Prohibition | 179. | No person may advertise itself as a Licence holder if the person does not hold a valid Licence. |
| Prohibition | 180. | A Licence holder must not advertise an online game unless the game is an authorized game. |
| Restrictions | 181. | A Licence holder must ensure that any advertisement or form of marketing it authorizes or that is conducted on its behalf: <ul style="list-style-type: none"> (a) is not indecent or offensive; (b) is based on fact, and (c) is not false, deceptive or misleading in a material way. |
| Determination | 182. | The Commission will, in its sole discretion, determine whether an advertisement or form of marketing contravenes any of the requirements in section 181. |
| Direction to stop or change | 183. | If the Commission determines that an advertisement or form of marketing does not comply with section 181, the Commission may direct the Licence holder or person responsible for authorizing the advertisement or form of marketing to take the appropriate steps to stop or to change the advertisement or form of marketing. |
| Form of direction | 184. | The direction must: <ul style="list-style-type: none"> (a) be in writing; (b) state the grounds for the direction, and (c) if it is a direction to change the advertisement or form of marketing, state how the advertisement or form of marketing is to be changed; <p>and the person to whom a direction is given must comply with the direction.</p> |

Part XXIX: Dormant accounts

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| Remittance | 185. | If no transaction has been recorded on a player's account for six (6) consecutive months, the Licence holder will remit the balance in that account to the player, or if the player cannot be satisfactorily located after three (3) communication attempts by the Licence holder, to the Commission. |
| No action | 186. | No claim will lie against a Licence holder who has remitted the balance in a player's account to the Commission in accordance with the provisions of this Part. |

Part XXX: Offences

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| Prohibition | 187. | A person must not, in relation to an authorized game, dishonestly obtain a benefit by any act, practice or scheme or otherwise dishonestly obtain a benefit through the use of any device, equipment or software. |
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- “Benefit”** 188. For the purposes of this Part, a person obtains a benefit if the person obtains for themselves or another person, or induces a person to deliver, give or credit to the person or another person, any money, benefit, advantage, valuable consideration or security.
- Forged or altered gaming records** 189. A person must not, directly or indirectly:
- (a) forge or alter a gaming record, or
 - (b) knowingly use or attempt to use a forged or altered gaming record.
- Impersonation** 190. A person must not impersonate a Licence holder, an Approved Agent or a member of the Commission or anyone acting in an official capacity under the Law or these Regulations.
- Members of Commission** 191. Members of the Commission and anyone acting in an official capacity under the Law or these Regulations must not ask for, receive or obtain, or agree to receive or obtain, any money, property or benefit of any kind for himself or another person for an improper purpose.
- No benefits** 192. A person must not give, confer or obtain, or promise or offer to give, confer or obtain, any money, property or benefit of any kind to, on or for a member of the Commission and anyone acting in an official capacity under the Law or these Regulations for an improper purpose.
- Improper purpose** 193. For the purposes of the foregoing sections, "improper purpose" includes:
- (a) for the official to forego or neglect the official's functions under the Law or these Regulations;
 - (b) for the official to use, or take advantage of, the official's office improperly to gain a benefit or advantage for, or facilitate the commission of an offence against the Law or these Regulations, or
 - (c) to influence the official in the performance of the official's functions under the Law or these Regulations.
- No participation in games** 194. An employee, whether a key person or not, of a Licence holder must not take part in an authorized game if directly involved in functions related to the conduct of the game.
- Forfeiture** 195. Any prize won by a person by participation in an authorized game contrary to the foregoing sections is forfeited to the Commission.

Part XXXI: Duty to Report

- Duty to report** 196. In the event a Licence holder or Approved Agent becomes aware, or reasonably suspects, that:
- (a) a person, by a dishonest or unlawful act affecting the conduct or playing of an authorized game, has obtained a benefit for the person or another person, or
 - (b) there has been an unlawful act affecting the conduct or playing of an authorized game,
- within twenty-four (24) hours of becoming aware of, or suspecting, the dishonest or unlawful act, the Licence holder or Approve Agent must give the Commission a written notice advising the Commission of all facts known about the matter.

Part XXXII: Inspectors

- Inspectors** 197. The following persons are Inspectors for the purposes of these Regulations:
- (a) members of the Commission;
 - (b) a person appointed by the Commission as an Inspector under this Part (an "Appointed Inspector"), and
 - (c) a person holding an appointment as an Inspector under a corresponding law and authorized in writing by the Commission to act as an Inspector under these Regulations (an "External Inspector").
- Appointment** 198. The Commission may appoint a person as an Inspector if:
- (a) the Commission considers that the person has the necessary expertise to be an Inspector, and
 - (b) the Commission considers the person to be fit and proper to be an Inspector in consideration of:
 - (i) the person's character, and
 - (ii) the person's skills, background, experience and training.
- Investigation** 199. An Approved Agent may investigate a person to help the Commission decide whether the person is suitable to be an Inspector.
- Powers** 200. An Inspector has the powers to perform the functions that are provided in these Regulations and is subject to the directives of the Commission in exercising those powers.
- Limitation** 201. Notwithstanding section 200, an Inspector's powers may be limited:
- (a) as a condition of the Inspector's appointment, or
 - (b) by written notice given by the Commission to the Inspector.
- Letter of Identification** 202. The Commission must issue each person acting as an Inspector under these Regulations, a letter of identification (the "Letter of Identification"):
- (a) identifying the person as an Inspector;
 - (b) setting out the Inspector's date of appointment and, if appropriate, date on which the appointment terminates;
 - (c) describing the Inspector's authority and, if appropriate, any limitation on that authority.
- Returning Letter of Identification** 203. A person who ceases to be an Inspector must return the Letter of Identification to the Commission as soon as practical, but not later than fifteen (15) days after the date on which he or she ceased to be an Inspector.
- Exercise of power** 204. An Inspector may exercise a power in relation to a person only if the Inspector either produces the Inspector's Letter of Identification for the person's inspection.

- Exception** 205. If for any reason it is not practical to comply with the foregoing section before exercising the power, the Inspector must produce the Letter of Identification for the other person's inspection at the first reasonable opportunity.

Part XXXIII: Powers of Inspectors

- Power to enter without consent** 206. An Inspector may, without the consent of the occupier of a place or a warrant issued by a court of competent jurisdiction, enter:

- (a) a public place;
- (b) a place where an authorized game is being, or is about to be conducted, or
- (c) a place where a Licence holder carries on business

at any time when the place is open for carrying on business or otherwise open for entry.

- Power to enter with consent** 207. Unless an Inspector is authorized to enter a place under the foregoing section, an Inspector may enter a place only if its occupier consents to the entry or if the entry is authorized by a warrant issued by a competent authority.

- Other powers** 208. For monitoring or enforcing compliance with the Law or these Regulations or any other law applicable within the Territory, the Inspector may:
- (a) search any part of the place the Inspector is authorized to enter;
 - (b) inspect, measure, test, photograph or film any part of the place or anything at the place;
 - (c) take copies of any written or digital information, equipment or other items for analysis or testing;
 - (d) access, electronically or in some other way, a system used at the place for conducting an authorized game or other online game or for administrative purposes related to the conduct of an authorized game or other online game;
 - (e) take into or onto the place any person, equipment and materials the Inspector reasonably requires for exercising a power under this Part;
 - (f) require the occupier of the place, or a person at the place, to give the Inspector reasonable help to exercise the Inspector's powers under paragraphs (a) to (f), or
 - (g) require the occupier of the place, or a person at the place, to give the Inspector information to help the Inspector ascertain whether the Law, these Regulations or any other law applicable within the Territory is being breached and the person much comply with such requirement.

- Seizure** 209. An Inspector who enters a place that he or she is authorized to enter under this Part, may seize written or digital information, equipment or other items at the places if the Inspector reasonably believes the written or digital information, equipment or other items are evidence of an offence against the Law, these Regulations or any law applicable within the Territory.

- Securing seized items** 210. Having seized written or digital information, equipment or other items, to secure anything that has been seized an Inspector may:
- (a) move the written or digital information, equipment or other items from the place where they were seized (the "place of seizure") to a secure location under the exclusive control of the Commission, or
 - (b) leave the documents or items at the place of seizure but take reasonable action to restrict access to them.
- Restricted access** 211. If an Inspector restricts access to written or digital information, equipment or other items subject to seizure, a person must not tamper, or attempt to tamper with written or digital information, equipment or other items, or any means used to restrict access to the written or digital information, equipment or other items, without an Inspector's approval.
- Providing receipt** 212. As soon as practical after an Inspector seizes written or digital information, equipment or other items, the Inspector must provide a receipt for them to the person from whom they were seized.
- Leaving receipt** 213. If for any reason it is not practical to comply with the foregoing section, the Inspector must leave the receipt at the place of seizure in a conspicuous position and in a reasonably secure way.
- Description** 214. The receipt must describe generally the written or digital information, equipment or other items seized and their condition at the time of the seizure.
- Forfeiture** 215. Written or digital information, equipment or other items that have been seized under this Part are forfeited to the Commission if the Inspector who seized the written or digital information, equipment or other items:
- (a) cannot find their owner, after making reasonable inquiries;
 - (b) cannot return them to their owner, after making reasonable efforts, or
 - (c) reasonably believes it is necessary to retain the written or digital information, equipment or other items to prevent them from being used to commit an offence against the Law, these Regulations or any law applicable within the Territory.
- Notice of forfeiture** 216. If the Inspector decides to forfeit written or digital information, equipment or other items under section 215, the Inspector must, unless it is impractical or impossible to do so, advise the owner of the decision by written notice.
- Return of seized items** 217. If written or digital information, equipment or other items have been seized but not forfeited, the Inspector must return them to their owner:
- (a) at the end of six (6) months, or
 - (b) if a proceeding for an offence involving the documents or items is started within six (6) months, at the end of the proceeding or any appeal from the proceeding.
- Inspection** 218. Until written or digital information, equipment or other items that have been seized are forfeited or returned, an Inspector must allow their owner to inspect them and, if it is a written or digital document, to copy it unless it is impractical or would be unreasonable to allow the inspection or copying.

Part XXXIV: General Enforcement Offences

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| Statements | 219. | A person must not state anything to an Inspector the person knows to be false or misleading. |
| Documents | 220. | A person must not give an Inspector a document containing information the person knows to be false, misleading or incomplete. |
| Entries | 221. | A person must not make an entry in a document required or permitted to be made or kept under these Regulations knowing the entry to be false, misleading or incomplete. |
| Obstruction | 222. | A person must not obstruct an Inspector in the exercise of a power or someone helping an Inspector in the exercise of a power. |

Part XXXV: Independence of Commission

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| No participation in games | 223. | Members of the Commission and anyone acting in an official capacity under the Law or these Regulations must not take part in any authorized game. |
| Prohibition | 224. | Members of the Commission and anyone acting in an official capacity under the Law or these Regulations must not: <ul style="list-style-type: none"> (a) accept or solicit employment from a Licence holder or an Approved Agent; (b) be an employee in any capacity of a licence holder or an Approved Agent; or (c) knowingly have, directly or indirectly, a business or financial association with a licence holder or an Approved Agent. |
| Prohibition | 225. | A person must not, for one (1) year after ceasing to be a Member of the Commission and anyone acting in an official capacity under the Law or these Regulations, without the Commission's approval: <ul style="list-style-type: none"> (a) accept or solicit employment from a licence holder or an Approved Agent; (a) be an employee in any capacity of a licence holder or an Approved Agent; or (c) knowingly have, directly or indirectly, a business or financial association with a licence holder or an Approved Agent. |
| Declaration of interest | 226. | In the event a member of the Commission or anyone acting in an official capacity under the Law or these Regulations knowingly has, directly or indirectly, a business or financial association or interest with another person who is an applicant for a Licence, immediately after the member of the Commission and anyone acting in an official capacity under the Law or these Regulations becomes aware that the other person is an applicant for a Licence, the member or official must give written notice of his or her association or interest to the Commission and the Commission will by written notice given to the member or official, direct the member or official to end the association, or give up the interest, within the time stated in the notice. Failure to comply with such direction will result in the immediate termination of the member's position on the Commission or the official's employment by the Commission. |
| Not civilly liable | 227. | An Official is not civilly liable for an act done, or omission made, honestly and without negligence under these Regulations. |

Part XXXVI: General Provisions

- No appeals** 228. A decision of the Commission made, or appearing to be made, under these Regulations about a Licence or a person with an interest or potential interest in a Licence, including but not limited to the granting, amending, suspension or revocation of a Licence:
- (a) is final and conclusive;
 - (b) cannot be challenged, appealed against, reviewed, quashed, set aside, or called in question in another way, and
 - (c) is not subject to any writ or order of any court, a tribunal or another entity on any ground.
- Service** 229. Except as specifically provided herein, service of any notice, directive or other document provided for in these Regulations may be affected by personal service, registered mail, facsimile transmission or e-mail to the Licence holder or its agent. Except as otherwise provided in these Regulations, other than for personal service, service is effective from the moment the notice is sent. Personal service is effective from the moment the notice is received by the Licence holder or its agent.
- Confidentiality** 230. A person who is, or was, an Inspector, officer, employee, Approved Agent or member of the Commission, must not disclose any information provided by an applicant or Licence holder to the Commission and such information will be held in the strictest confidence and will not be used by the Commission for any purpose other than matters pertaining to an application or other matter under these Regulations, nor will the information be provided, in whole or in part, to any other party without the applicant or Licence holder's express written permission.
- Applicants** 231. Notwithstanding section 230, by signing an application, the applicant agrees that the Commission may share some or all of the information provided by the applicant to the Commission's Approved Agents or to regulatory agencies in comparable jurisdictions but only if such Approved Agents or regulatory agencies first provide a written assurance that they will hold such information in strictest confidence and will not use it only for internal purposes.
- Exception** 232. Sections 230 and 231 do not apply to the disclosure of information by a person:
- (a) for a purpose under the Law, these Regulations or any other law applicable within the Territory, or
 - (b) with a lawful excuse.
- Currency** 233. All fees and other amounts referenced in these Regulations are calculated and payable in U.S. currency.
- Forms** 234. In addition to the Schedules referenced herein, the Commission may approve such forms, rules and procedures as are required for the purposes of these Regulations.