



# Remote Gambling Licence or Permit Application Notes

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## Purpose

The purpose of this document is to try to assist and answer any possible questions that may arise during the completion process of the Remote Gambling Licence or Permit Application.

The application form and related annexes can be downloaded from our web site at [Remote Gambling – The Jersey Gambling Commission \(jgc.je\)](http://www.jgc.je)

## Legislation

Applications for a Remote Gambling licence or permit are covered by a Policy issued under Article 9 of the Gambling (Jersey) Law 2012 or the Gambling (Ancillary and Miscellaneous Provisions) (Jersey) Regulations 2012. All of the gambling legislation and subordinate regulations can be viewed on the Commission website (<http://www.jgc.je>) or from the Jersey Law web site (<http://www.jerseylaw.je>).

## Application Form

The total application is made up of the following sections:

- Applicant details;
- Officers and Senior Management;
- Company details;
- Corporate details;
- Licensed Jurisdiction Details;
- Financial Details;
- Penalties and Civil Actions;
- Further Information; and
- Declaration.

## Notes to Applicants

The principal purpose of seeking the information required by the Application form is to provide core factual details, thereby enabling:

- Preliminary investigations in order to ascertain the full scope of the Commission's investigations; and
- Identification of where further information will need to be requested and/or required.

Additional information may be sought by way of a meeting with an officer of the Jersey Gambling Commission and/or a visit to the premises for which approval will be sought.

If any details set out on this Application form change prior to the determination of this Application, you must notify the Jersey Gambling Commission in writing as soon as reasonably practicable.

- Wherever possible, use BLOCK CAPITALS.
- All dates should be in the form of Day / Month / Year (DD / MM / YYYY).
- Answer every question, using N/A or NIL where applicable.
- Use additional sheets as necessary, cross-referencing against the relevant question the additional sheet(s) on which the answer is to be found.
- Please number, date and sign any additional attached pages to the application form.
- If the deposit of application fee required by the Commission has not already been made, it must accompany the submission of this Application form.
- Application processing will not commence until all initial requested documentation is received. If you require any assistance or would like to discuss any part of the application form, please contact the Commission on 01534 828540.

## **Applicant Details**

This section of the application deals with the details for the applying company and its primary contact.

The applicant company must be a Jersey incorporated company.

### *Name of Applicant*

Provide the legal name of the entity that is applying for the licence.

### *Company Registration Number (JFSC Number)*

Provide the Jersey Financial Services Commission company registration number.

### *Address of Registered Office*

Provide the full address for the body corporate.

### *Correspondence Address (if different)*

Provide the full address for all correspondence relating to this application. This address will also be used for any notices issued to the company during the application lifecycle. This address is only required if different from the company Address of Registered Office.

### *Full name and position of principal contact*

Provide the full name and position of the principal contact for matters relating to the application.

### *Address of principal contact*

Provide the full address for the principal contact. This should be someone that will be able to, or is in a position to answer questions or obtain answers relating to all of the company matters.

### *Telephone Number*

The phone number for the principal contact, include both a landline number and a mobile number.

### *Email address*

The principal contact email address. The email address should not be a generic email from such sources as hotmail, gmail, yahoo, etc. The email should reflect either the parent company or the company applying for the licence.

### *Type of Company*

Provide the type of company applying for the licence. If the company is a listed company, provide details of which markets in the Further Information section.

### *Trading Name(s)*

Provide all trading names. If the company trades under multiple names, provide the reason for this under the Further Information section.

### *Previous Company Name(s)*

Supply all previous company names. Under the Further Information section, provide an explanation for the change of names.

### *Primary Business Activity*

Provide the primary function for the business that is applying for the licence. If the company does not have gambling as its primary function, provide an explanation of why not under the further information section.

## **List all Officers and Senior Management**

This section asks the applicant to provide details for all officers and senior management that have an influence on the company. This includes but is not limited to Directors, Company Secretaries, and senior management. The applicant should include all individuals who have an influence over the business and/or exercise an influence on the operational functions of the applicant.

### *Full Name*

Enter the officer's full name, including all middle names and not just the initials.

### *Address*

Enter the officer's permanent address. This address will be used for any communication by the Commission.

### *Position*

This is the position of the officer. For board members, state their position within the board and if they hold any other positions, i.e. part of the remuneration committee or such positions alike. If an officer holds a Personal Gambling Licence from the Commission (or is applying for same) please note that here.

### *Date of birth*

Enter the officer's date of birth in a full format, i.e. 1<sup>st</sup> May 1957.

### *Place of birth*

Provide the town and country of birth.

### *Nationality*

State the officer's birth nationality. If the officer has multiple nationalities, please state them all. Also, use the Further Information sheet and provide reasoning for the multiple nationality status and which is the primary passport used during travel. Also, at what other times are the other passport(s) used.

### *Country of residence*

Provide the officer's primary country of residence. If the officer spends more than 3 months in a 12 month period in another country, please state the other country or countries. Provide any extra information on the Further Information section of the application.

### *Telephone*

Provide a valid telephone number, where if required, the Commission can contact the officer. Include country, city and region codes.

### *Office address*

Provide an office address for the officer.

**NOTE:**

Use the REMOTE GAMBLING LIST ALL OFFICERS AND MANAGEMENT for any further officers and attach to the main application.

## **List all shareholders with 5% or more of issued capital**

The Commission is interested in all shareholders with 5% or more in the company. In this section list all of the shareholders;

- Full name (include full middle names and not just their initial);
- The full primary address, the Commission will use this address if it needs to contact the shareholder for further information;
- The shareholder's date of birth. Enter the date using a full format i.e. 1<sup>st</sup> September 1967; and
- The shareholder's interest percentage in the company.

If required continue on a separate sheet or on the Further Information section of the application form.

## **Required Documents**

The following are documents that should be included with the application. If such documents are not supplied with the application, provide the reason why in the box provided.

- Memorandum of Association;
- Articles of Association;
- Corporate Structure Diagram; and
- Incorporation Certificate.

## **Corporate Details**

This section deals with the applicant's parent and/or subsidiary companies. The Commission requires information on the applicant's parent and subsidiary companies and ultimate beneficiaries.

### *Is the applicant part of a group of companies*

If the applicant is a subsidiary or a parent from or for a group then tick YES. If the company has no other links to any other companies, then tick the NO option.

### *Provide group investors with 5% or more of beneficial capital*

Provide a list of all of investors with 5% or more interest in the company. For every investor provide the company or individual name, the full address and the capital percentage. If the list is too long either enter it within the Further Information section or an annex to the application, stating clearly within this section that there is either an annex to the document or that the information is included in the Further Information section of the application.

### *Provide a List of Ultimate Beneficiaries*

Provide a list of all ultimate beneficiaries linked to the applicant and or subsidiary and parent companies. Use a separate sheet of paper if required. For every ultimate beneficiary include the individual name in full, the address in full, as this address will be used as a contact for the Commission, the date of birth, place of birth and the interest percentage on the company. For clarity provide the dates in a full format i.e. 1<sup>st</sup> April 1956.

### *Identify all other controllers/interested parties not mentioned previously*

Specify any other entity, individual and/or company that has an interest in the company. Provide the entity full legal name or if an individual their full name.

### *Does your business or group undertake any form of regulated business*

Specify if your business is regulated in any other jurisdiction, either in Jersey or elsewhere, i.e. does your business or group undertake remote gaming services in any other jurisdiction? If so, tick the YES box otherwise, the NO box.

If yes, then complete the list by providing the pertinent regulatory authority full identifiable name and the authority full address, as this address will be used by the Commission to contact the authority if required. Note the licensed activity, and provide the point of contact name in full, a phone number and an email address. Also, complete the Licensed Jurisdiction Details section on page 7.

### *Required documents*

Include the Group Company Structure. This should be a full chart of the parent and any subsidiary companies and their links. It must illustrate how one company refers to another. If a company is a parent of several subsidiaries then the chart should show this link clearly. The chart should also include the parent → subsidiary ownership percentage. The names of the directors of every company must be included.

If no such document is supplied with the application, supply a reason for the non-inclusion, and an estimate, if appropriate of when the document will be provided to the Commission.

## **Licensed Jurisdiction Details**

This section follows from the question “*Does your business or group undertake any form of regulated business*”. If the applicant answered YES to the question, then you will need to provide details of all jurisdictions where the applicant or the applicant’s group operate. If the page is not long enough, please continue on a separate page or use the Further Information section at the end of the application.

### *Jurisdiction*

Provide the Jurisdiction full identification name. The name must be the unique identifiable name and not just the name of the country (eg New Jersey rather than USA).

### *Licence Issue Date*

Specify the issue date of the licence; enter the date in a full unambiguous format, i.e. 1<sup>st</sup> April 2011.

### *Regulatory Authority Name*

Provide the full name of the regulatory authority.

### *Regulatory Authority Address*

Provide the address of the regulatory authority. If required, the Commission will use the provided address to contact the authority.

## **Financial Details**

This section deals with the applicant’s auditor’s details. The information gathered in this section will be used to ascertain the applicant’s financial status and viability to undertake a remote gaming business and its ability to honour players’ winnings.

## **Auditors Details**

### *Company/Individual Name*

Provide the auditor’s full legal name.

### *Address*

Provide the address for the auditor. If required, the Commission will use the provided address to contact the auditors.

### *Telephone*

Provide the auditor's phone number. This should be a landline. Please include the country code. This number, if required, will be used by the Commission to contact the auditor.

### *Email*

Provide the auditor's email address. This email address, if required, will be used by the Commission to contact the auditor.

### *Financial Position*

If the applicant's financial position changed materially between the date of the financial statements provided and the date of the application, provide details in this section of the application. If not enough space, please use the Further Information section at the end of the application.

### *External Sources of Income*

Please provide all external sources of finance. Please include inter-company loans, capital injections, and bank or other types of loans.

### *Loans*

Provide the name of the entity that is supplying the funds.

### *Amount*

Please state the amount of money being injected into the company.

### *Nature of Loan*

Provide the reason for the loan and what it will be used for. Use the Further Information section at the end of the application if required.

### *Repayment Terms*

Provide the terms of the loan in years and months, i.e. 3 years and 6 months.

### *Interest Payable*

Provide either the percentage annual interest payable on the loan or, if it's a fixed amount, then provide the full amount payable by the term of the loan.

### *Loan Secured*

If the loan is secured on any of the company assets or on any of the company directors' assets, then select YES and provide details on the "Details of loan secured asset(s)" box. Otherwise select NO.

### *Required Documents*

Provide a copy of the auditor's engagement letter.

Provide at least the last 2 years of audited accounts. If the company is a start-up, then provide evidence of source of funds to maintain the applicant's solvency for at least 3 years. If the company is part of a group, also provide 2 years of the group audited accounts.

If the applicant is not able to provide any of the above documents, please state in the box provided the reason(s) why. Continue on the Further Information section at the end of the application if required.

## **Penalties and Civil Actions**

This section asks the applicant to declare any Penalties or Civil actions. If the applicant answers YES to any of the questions, please provide a full explanation and enclose copies of all relevant formal documentation with the application.

## **Further Information**

This section is to be used by the applicant to supply any extra information that you consider relevant to assist with the determination of the application.

## **Final Steps**

The applicant must sign, print and date the application, enclose any required documentation and provide the required application fee. The Commission will not start to process any application until such time that all required documentation is supplied.

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