



# **Code of Practice for Responsible Gambling by Remote Gambling Operators**

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## Contents

Introduction and Background .....	3
Operator's Licence .....	3
Age Verification .....	3
Player Protection Information .....	4
Self-Limitation .....	5
Involuntary Limitation .....	6
Time Out/Temporary Self-Exclusion.....	7
Self-Exclusion .....	7
Involuntary Exclusion .....	8
Player Account .....	8
Reality Checks .....	9
Reward Schemes .....	9
Customer Interactions .....	10
Advertising and Promotional Material.....	10
Game Fairness.....	11
Social Responsibility Training and Support .....	11
Play-For-Fun or Free Play.....	11
Dispute /Complaint Resolution .....	12

## Introduction and Background

This Code of Practice has been produced by the Jersey Gambling Commission (Commission) in line with internationally recognised good practice and designed to uphold the guiding principles of the Gambling Commission (Jersey) Law 2010:

- gambling should be regulated in accordance with generally accepted international standards to prevent fraud and money laundering, and should not be permitted to be a source of crime;
- gambling should be verifiably fair to consumers of those services;
- gambling should always be conducted responsibly and with safeguards necessary to protect children and vulnerable people.

The purpose of this Code is to identify those elements required of operators to ensure that they can both minimise problem gambling and offer direction to those individuals who have recognised they may or do have a problem. This Code also provides a reference to Articles 16-21 of the Gambling (Jersey) Law 2012 which binds operators to comply with those licence conditions which require gambling to be conducted in accordance with the guiding principles and in compliance with the appropriate Code of Practice.

The Commission will review this Code of Practice periodically in light of further information, the outcome of specific research into problem gambling and responsible play, but will only make significant amendments to the document after informing the industry.

## Operator's Licence

There must be clear information on the Home Page to verify that the operator's gambling licence is held in Jersey and the name and contact details of the Jersey Gambling Commission.

## Age Verification

Protection of the young and vulnerable is one of the key licensing objectives and operators must take steps to verify the age and identification of every new player. Any operator mindful of protecting its own business reputation will employ or be prepared to invest in age verification tools and have such internal policies in place to prevent, as far as it is practicable, any underage play. The Commission therefore requires the following undertakings as a minimum:

Persons under the age of 18 must not be permitted to gamble.

An over 18s only notification must be displayed on the Home Page.

The operator must take steps to verify age and publish a message stating the prohibition of underage play that must be clearly displayed during the Registration process. Detailing the steps that an operator takes to verify age does assist in deterring minors from attempting to gain access to the website.

An Age Verification system must be in place; this is especially important in all cases where the method of payment does not itself constitute an age check (e.g. debit cards). There are many highly regarded systems now available in the marketplace and while the Commission does not endorse any particular product, the operator must employ the use of a reliable electronic checking system to verify age and identity. If there is little reliable data to determine a bona fide customer, the operator must seek to ascertain the identity of the applicant by using additional verification systems.

Links to recognised Internet Safety/Content Filtering Software are recommended.

All gambling transactions in which a minor has participated must be made void – any amounts gambled must be returned to the participants and the fact reported to the Commission. The operator must have in place a system for refunding the value of all deposits of any player if they are subsequently identified as being underage and any account that has been opened by an under 18 year old must be closed.

## Player Protection Information

Customer protection/responsible gambling information should be easily accessible. The site's home page should contain the logo and link to help service providers for problem gambling. As a minimum, entry windows (entry pages or screens) must contain a link to the operator's responsible gambling and/or customer protection information.

As a minimum, the following information must be made available:

- Advice that the site provides information on problem gambling and a link to that advice.
- A list of the customer protection/responsible gambling facilities available to the customer (e.g. session time limits, bet limits, etc.), and a link to those facilities or instructions on how to access those facilities.
- An easy and obvious mechanism to advise the customer of the right to make a complaint against the operator, and to enable the customer to notify the Commission for making such a complaint. This must include a link to information on how to contact the Commission.
- Explanation of website filtering and blocking.

All account-related windows (particularly the deposit window) must provide a readily accessible link to the customer protection/responsible gambling information and a link to a reputable problem gambling service that has agreed to be linked to the site. Operators must select a problem gambling service and notify that to the Commission.

Depending on the target market for operators, allied help providers in relevant countries may be referred to.

All links to problem gambling services provided by third parties are to be regularly tested by the operator. Where the service is no longer available, or not available for a significant period of time, the operator must provide an alternative support service.

The site's home page should contain a link to both the player protection page and the responsible gambling page. This information must be placed in strategic places on the website to provide information on problem gambling, self-exclusion and counselling possibilities. A strategic place for this information might be the gambling account, and the pages where there is information how the gambler may set time and monetary limits for gambling.

The dedicated social responsibility page should contain at a minimum:

- A warning that gambling could be harmful if not controlled and undertaken responsibly.
- Advice on responsible gaming and a link to help service providers and other sources of help on problem gambling, including helpline number(s) and pertinent websites.
- A list of player protection measures available on the website, and a link to that page (if separate to the social responsibility page).
- Details or a link to a page with details of the operator's social responsibility policy.

Information on the player protection page should contain the protective measures available to the player if they wish to use them. These measures should be the options for player determined self-limitation limits and the self-exclusion instructions, with a link to the email address required or button(s) for automatic exclusion.

The deposit page should contain a reminder to the player about the need to gamble responsibly, with a link to the responsible gambling/player protection page. This information must be clearly visible without the need to scroll down the page or purposefully search for it.

The responsible gambling/player protection page(s) should be readily available from any screen where game play may occur.

The operator must apply objective tests to the information it supplies to avoid any misleading messages in relation to the provision of support for problem gambling and the promotion of responsible play.

## Self-Limitation

Customers must be provided with straightforward and easily accessible facilities to limit their gambling. This is important as it allows the player to be responsible for their own gambling decisions.

The self-limitation facilities must include, but not necessarily be limited to, the following options:

- a) Loss limit per time period – an overall maximum loss limitation over a specified period of time (e.g. daily, weekly, etc),
- b) Deposit limit per time period – an overall maximum deposit limitation over a specified period of time (e.g. daily, weekly, etc),
- c) Individual session duration limit – a limitation on the duration of each individual gambling session,
- d) Cumulative session duration limit per time period – a limitation on the length of time a customer may gamble within a specified time period.

The operator must offer the opportunity to set a deposit limit at the first deposit stage of the relationship. Operators may leave the deposit limit field empty for the customer to input their own limit. If the operator includes preset amounts, the minimum amount for spend should be the same as the minimum deposit required on the operator's website, with the maximum spend going up to the website's set limit.

The Player must be able to set and review their deposit limit through the website or through contact with customer services or both.

Immediately upon receiving any self-limitation order, the operator must ensure that all specified limits are correctly implemented in the system.

Once established by a customer, limits may only be relaxed upon 24 hours notice. The player can only increase their previously set limit once a cooling off period of at least 24 hours has elapsed. However they should be able to decrease their limit with immediate effect.

Limits must not be compromised by external time events, such as leap years and daylight savings adjustments.

Limits must not be compromised by internal status events, such as system errors.

When a player reaches their previously set limit the operator will be responsible for ensuring that no other deposits are accepted from them. To that end the operator must ensure a robust system is in place to ensure that deposit limits are enforced. On reaching the set limit the customer must not be able to make further deposits during the specified time period.

## Involuntary Limitation

Operators may set their own limits on customers, but customers must be informed of any such limits.

The lower of the voluntary and involuntary limit must always apply.

## Time Out/Temporary Self-Exclusion

Operators must offer customers the ability to have a time out from gambling, for a period up to one month. For example, time out periods of 1 day, 1 week and 1 month could be offered.

During the time out period, the operator must ensure that:

- Immediately upon receiving the time out request, no new bets or deposits are accepted from that customer, until such time as the temporary self-exclusion has expired;
- During the temporary self-exclusion period, the customer is not prevented from withdrawing any or all of their cleared account balance; and
- Customers must not be permitted to create new accounts with the operator during the time out period.

In the event that a player chooses to self-exclude for a period up to or greater than six months the operator must contact them and offer links to help providers for problem gambling.

## Self-Exclusion

The player must be able to exclude themselves from gambling at any time, from any operator's website. It is a licence condition that information regarding the self-exclusion policy and process must be clearly explained within the responsible gambling/player protection pages.

The mechanism for self-exclusion should be easy and obvious. At a minimum, this self-exclusion mechanism must be accessible from the customer protection/responsible gambling page, or by the operator's customer service representatives.

Operators should offer a self-exclusion period of not less than 6 months, up to a period of at least 5 years.

Once a player has excluded themselves from the website the operator must ensure that:

- Immediately upon receiving the self-exclusion order, no new bets or deposits are accepted from that customer;
- The customer's full cleared account balance is remitted to the customer using the registered name and address (taking into account the operator's AML procedures);
- The account is then closed.

The player should also be removed from mailing lists, including those of any affiliates to the operator, and their database record should be flagged to prohibit mail-outs/promotions. The customer must also be provided with contact information for

accessible help services and encouraged to seek support; at the same time, advice must be communicated to the player to self-exclude from all other betting and gaming activities.

Requests to re-activate the account at the end of the self-exclusion period must be made through contact with Customer Services; there should be no automatic activation route open to the former customer. Following such a request the customer should be given one day to cool off before being allowed to access gambling facilities.

Notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.

The operator must have a policy for considering third party requests. Persons making the application for an exclusion on behalf of a problem gambler must satisfy the chief executive or compliance director of the operator that they have both a close personal interest in the welfare of that problem gambler and that they also have this person's consent to request such a prohibition.

## Involuntary Exclusion

Where an operator excludes a customer they must keep a record of the reason(s) for the exclusion (e.g. harassing help-desk staff, harassing other customers, etc).

Immediately upon activating the exclusion, no new bets or deposits are to be accepted from that customer, until such time as the exclusion has been revoked or has ended.

During the exclusion period, the customer must not be prevented from withdrawing any or all of their account balance, provided that the reason(s) for exclusion would not prohibit a withdrawal (e.g. suspected of cheating, etc...).

## Player Account

The player should only be allowed to use or register two bankers' cards as a form of payment on their account. If they need to change that card they should have to go through Customer Services.

The operator must take all reasonable steps to ensure the player is only permitted to have open one 'live' account at a time. The player should also only be able to register one account on a site, rather than multiple accounts with the same name and address but with different user names. The ability to set up multiple accounts using different bankers' cards not only increases the possibility for fraud, but also increases the risks of problem gambling and uncontrollable debt.

The Player must have access to recent account history to include all deposits, wagers and withdrawals.

Current account balance must be displayed in local currency (as opposed to credits).



## Reality Checks

Where a game allows continuous, interactive and rapid gambling without a natural break, it is very important that there should be mechanisms implemented to help the player monitor spending and the amount of time they have played. These mechanisms will arm the player with the ability to make a conscious decision on whether to stop or continue.

When a customer logs into the E-Gaming System, the last time they logged in must be displayed to the customer without the customer's intervention.

As well as deploying a "default session limit" that will close a game after a set period of continuous play, the following are also recommended:

- A clock displaying the time within the player's local time zone should be visible on the screen at all times.
- The currency unit of the amount wagered should be clearly displayed on the games screen as well as the denomination of each credit.

Counters should be used to inform the player of the time they have been playing. This could be a display that pops up every 30 minutes and should be clearly visible to the player.

Where a game allows the player to choose different amounts per credit, this option should involve having to come out of the game in order to change credit size. This will help to avoid the possibility of players impulsively increasing their stakes in order to chase losses.

On completion of the last wager within a previously set time limit, the Player must be presented with a message clearly informing time spent. The Player must be required to acknowledge the message and agree to continue playing or stop.

No game should be quicker than 3 seconds between plays, even in 'turbo' or 'auto' mode.

The operator should seek guidance from the Commission on which games would require the implementation of suitable reality checks.

## Reward Schemes

Operators may wish to offer incentivisation schemes for High Value Customers (VIPs). It is the responsibility of the operator to assess the risks arising from such schemes and to ensure that any such schemes are consistent with the Commission's Guiding Principles.

Before making a customer a VIP, as a minimum the operator should:

- establish that spending is affordable and sustainable as part of the customer's leisure spend;
- assess whether there is evidence of gambling related harm, or heightened risk linked to vulnerability;
- ensure the operator has up to date evidence relating to identity, occupation and source of funds, and;
- continue to verify the information provided to them and conduct ongoing gambling harm checks on each individual to spot any signs of harm.

Operators should consider what additional steps are required to ensure staff are equipped and motivated to manage VIPs effectively, for example enhanced training on safer gambling and AML risks specific to VIPs.

Staff should not be incentivised or remunerated based on a customer's loss, spend, or activity.

## Customer Interactions

Operators should implement procedures to minimise the risk of players experiencing harm.

Procedures should include:

- Ongoing monitoring to identify markers of harm, which should include, but not be limited to, spend levels, pattern of spend, time spent gambling.
- Taking action appropriate to the type and severity of the identified marker(s) of harm.
- Evaluating the outcome of the action and continuing to monitor, or take further action, as appropriate.

## Advertising and Promotional Material

Advertising and promotions must be compliant with the Commission's Policy Statement for Advertising Commercial or Charitable Gambling (add link). Advertising content and placement of advertising must not target those persons under 18 years of age.

Moreover:

- Advertising must give a balanced message with regards to winning and losing.
- Players must not be encouraged to chase their losses or re-invest their winnings.

- Gambling cannot be suggested as a means of solving financial difficulties, or promoted in such a way that participation in gambling would somehow make the player more attractive.

Licensees should ensure that no advertising or other marketing information, whether relating to specific offers or to gambling generally, appears on any primary web page/screen or micro site that provides advice or information on responsible gambling.

## Game Fairness

The rules of the games must be available to the player at all times as set out in the Code of Practice: Minimum Standards applicable to Remote Gambling Operators, published by the Commission (add link). It should be clear to the player the amount that is being gambled, the rules that pertain to the game or wagers and the result of the game or wagers.

## Social Responsibility Training and Support

The operator must ensure that their player service team, that is staff members who have contact with customers, is trained on the issues of social responsibility and problem gambling. This training should also extend to marketing departments, fraud investigation teams and game designers. This is especially important for the occasions when a problem gambler will contact the player service line, or when the operator suspects one of their players may have a gambling problem.

This training should be required at the time of induction of new members of staff, tested for effectiveness, delivered at least every two years and must be recorded. Operators should keep abreast of the latest studies and good practice in respect of responsible gambling.

## Play-For-Fun or Free Play

Where Play-For-Fun or Free Play is offered, the following conditions must be met:

There must be clear messaging that play-for-free is intended for over 18s only.

The free games must mirror the real games in payout percentages and method of play.

The free games must offer the same age restriction through verification measures, social responsibility and player protection information as the real money website.

Players must register with a verified email address at a minimum.

Players should have time session limits imposed.

## Dispute /Complaint Resolution

A dispute resolution system must be available to the player and advice must be clear and available to the player within the Terms and Conditions and the Responsible Gambling page. The service must be free of charge to the player. It follows that customer service contact details must likewise be up-to-date and clearly displayed.

Licensees should keep records of customer complaints and disputes and make them available to the Commission on request.

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