

# JERSEY GAMBLING COMMISSION



## Ancillary Services: Personal Gambling Licence

With effect from 1<sup>st</sup> January 2023

### Report on Proposed Fees

The Commission has a duty under Article 46 of the Gambling (Jersey) Law 2012 to determine and publish fees payable to it for:

- (a) the performance by the Commission of any of its functions under this Law;*
- (b) the submission of an application, report or other document to the Commission under this Law; and*
- (c) the annual continuance of a licence, permit, approval or registration granted under this Law.*

The purpose of this notice is to prescribe fees for licences granted to gambling key personnel (generally natural persons wishing to facilitate gambling by holding a position as Director or Company Secretary) as a consequence of the provisions of the Gambling (Ancillary Services and Miscellaneous Provisions) (Jersey) Regulations 2012.

In deciding the level of fees, the Commission will assess an appropriate level of regulatory oversight and consider the following factors:

- the element of risk;
- the impact on the Island in case of company or product failure, and
- the level of gambling as a percentage of total business.

The Commission will also generally seek to discuss its proposed fees with those directly affected and, if there is a recognised trade body, will consult with that body. In the absence of a recognised trade body the Commission may simply publish its Notice of Proposed Fees, which are then adopted 29 days later.

### Application Fee: Personal Gambling Licence

Applications across most ancillary services are relatively similar and information requested by the Commission will be broadly the same. The Commission requires details of the individual concerned, their criminal record checks, corporate experience and, where relevant, company details, applicant details, together with details of other directors and officers that influence decision-making. Financial stability, criminal sanctions and business experience of associate or applicant gambling companies are also investigated.

The Commission operates on a cost-recovery basis and the fee is ordinarily expected to cover 2 days to process the application and undertake necessary interviews. It should also fund the drafting of a report and recommendation on the merits of the application.

## **Licence Fee: Personal Gambling Licence**

The licence fee covers the cost of regulatory oversight during each of the five-year life of the licence. The fee is annual and payable in advance. Typically the inspection regime will consider the individual's participation within a gambling business, to include but not limited to;

- their involvement in decision-making;
- an assessment of the company's operations;
- a review of compliance and other procedures;
- any material changes since the last meeting.

As per the application process, the Commission will maintain contact with the licence holder during the year, visiting premises, reviewing documentation and reporting as necessary.

So long as the key requirements for licensing have not changed during the period of the licence the Commission may, at its discretion, waive the application fee for a new licence on expiry.

## **Late Payment Fee**

Article 22(5) of the Law provides for a 28 day 'grace' period, after the start or subsequent annual anniversaries of a licence, and Article 22(6) revokes the licence at the end of the 28 days grace if the annual fee is not paid. Article 22(6) does not preclude the payment of fees owed to the Commission.

The Commission will consider applying a late licence fee under its powers under Article 46(4) on a case by case basis.

If the Commission, after considering all the facts, applies a late payment fee, the fee will be set at 10%, applied pro-rata for each 28 days from the anniversary of the licence.

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### Notice of Proposed Fees

This being the first year that individuals working through ancillary service companies have been subject to a regulatory regime the Commission has decided to adopt the following fees:

**Application Fees: £300.00.**

**Licence Fee: £670.00**

**Late payment Fee: 10% of the permit fee, pro-rata**

### Annual Review

**NB:** In order that fees do not erode with inflation there will be an **annual** review of fees. For the express exclusion of doubt, the Commission will not raise fees following such review beyond that set by the RPI figure published by the Government of Jersey without undertaking a further consultation. Undertaking such a review does not bind the Commission to alter these or any other fees.

### Document History Log

Date	Change Description
16 <sup>th</sup> December 2013	Inception of permit and adoption of fees.
13 <sup>th</sup> December 2022	Fees revised and increased.