

JERSEY GAMBLING COMMISSION



Promotional Lottery Licence

Report on 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 businesses as a consequence of the adoption by the Commission, of the Promotional Lotteries Policy, published under the authority of Article 9 of the Gambling (Jersey) Law 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 considers this licence to allow for gambling as a marketing tool, that is, an ancillary function and not a part of a firm's core business. To that end, specific attention will be directed to the scope and prizes on offer to ensure that any promotion does not stray into what would ordinarily be considered commercial gambling.

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. In this instance, the Commission believes that the Jersey Chamber of Commerce is the correct consultative body.

Application Fee: Promotional Lottery Licence

Applications across most licences are relatively similar and information requested by the Commission will be broadly the same. Given that this licence is not to offer gambling as a core service, the Commission requires fewer details, but will expect a senior official in the company to make a declaration that they have no criminal record. In the event that a company wishes to run a number of such promotions the Commission may choose to undertake further vetting of the applicant. Financial stability, regulatory sanctions and business experience of associate or applicant companies are also investigated to ensure that they can properly conduct such promotions.

The Commission operates on a cost-recovery basis and the fee is ordinarily expected to cover the time taken to process the application and undertake necessary reviews and checks.

Licence Fee: Promotional Lottery Licence

The licence fee covers the cost of regulatory oversight during the life of the licence. The fee is annual and payable in advance. Typically the inspection regime will consider the company's oversight of the promotion, its terms and conditions and generally aim to ensure that its rules are fair and transparent. This may include but not necessarily be limited to;

- mystery shopping;
- a review of compliance and other procedures;
- any material changes since the licence was issued.

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. The late payment fee is not compounded on the outstanding licence fee(s).

Promotional Lottery Licence

Notice of Fees

The Commission has adopted the following fees with effect from 1st January 2024:

Application Fees: £55

Licence Fee: For total prizes less than £10,000: £165

For total prizes between £10,000 and £100,000: £290

For total prizes in excess of £100,000: £732

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

Payment for licence fees (using licensee name or invoice number as a reference) should be sent by bank transfer to:

The Jersey Gambling Commission; HSBC; Sort Code: 40-25-34 Account Number: 52474700

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
16th December 2013	Inception of licence and adoption of fees.
13 th December 2022	Fees reviewed and increased
December 2023	Fees revised in line with Jersey RPI to June 2023

