



## Ancillary Services: Hosting Services Providers

### 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 permits granted to gambling hosting service providers 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: Hosting Services Providers Permit

Applications across most ancillary services are relatively similar and information requested by the Commission will be broadly the same. The Commission requires company details, applicant details, together with details of the directors and officers that influence decision-making. Financial stability, criminal sanctions and business experience 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, undertake an inspection of the premises and interview, if required, any of the directors or officers of the applicant. It should also fund the drafting of a report and recommendation on the merits of the application.

## Permit Fee: Hosting Services Providers Permit

The permit fee covers the cost of regulatory oversight during the 1 year life of the permit. The fee is payable in advance.

As per the application process, the Commission will maintain contact with the permit 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 permit the Commission may, at its discretion, waive the application fee for a new permit on expiry.

## Notice of Proposed Fees

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

**Application Fees: £500.00**

**Permit Fee: £1000.00**

**Alterations to the Permit<sup>1</sup>: £250.00**

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

The Commission will monitor the level of fees and whether they do, in fact, meet the costs of regulatory oversight and will make a determination after one year.

### Applying for a New Permit

A Permit lasts for 1 year and if a Hosting Service Provider applies for a new Permit before the expiry of the current one, the Commission may not necessarily require the same degree of information to pursue the new application<sup>2</sup>. The Commission will examine what information it already holds and consider whether the known applicant has a good compliance record and there has been no material or significant change to the corporate structure of company since the last application process. If there has been no significant alteration to the corporate structure and the company has proved to be compliant with the Permit conditions, the Commission may waive or reduce any application fee for a new Permit. [Art. 13]

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<sup>1</sup> Such as a change of registered address, company name or the inclusion of new working premises.

<sup>2</sup> For the purposes of transition from a licensing to a permit scheme for current holders of Hosting Provider Licences, the application fee will be waived in 2013. This decision only applies to those firms wishing to transfer to a Permit scheme on the expiry of the current licence.