



Remote Gambling Licence or Permit Application Notes

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 <http://www.jgc.je/application-forms/commercial-licences/>

Application forms and Annexes

The following is a list of the required forms that need to be completed and submitted with any application for a Remote Gambling Licence or Permit.

NOTE: The JGC will not start the application process until such time that all of the required documentation as been submitted and the fee has been deposited in the Commission's bank account. Moreover, the time to process the application varies and it is dependant on the complexity of the applicant's application.

- REMOTE GAMBLING LICENCE OR PERMIT- SCHEDULE 1
- REMOTE GAMBLING LIST ALL OFFICERS AND MANAGEMENT
- REMOTE GAMBLING CORPORATE WAIVER - AUTHORITY FOR RELEASE OF INFORMATION
- REMOTE GAMBLING PERSONAL DECLARATION FORM
- REMOTE GAMBLING PERSONAL WAIVER - AUTHORITY FOR RELEASE OF INFORMATION

Legislation

Applications for a Remote Gambling licence or permit is 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 JGC 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 its investigations; and
- Identify 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 possibly, 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.
- 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 Head of Legal and Regulation on +44 (0)1534 828540.
- Please number, date and sign any additional attached pages to the application form.

Applicant Details

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

The company being a Jersey incorporated company and registered by the Jersey Financial Services Commission.

Name of Applicant

Provide the company legal name of the entity that is applying for the licence. This can either be the parent company legal name or the Jersey registered legal company name.

Company Registration Number (JFSC Number)

Provide the Jersey Financial Services Commission company registration number. Leave this section blank if the company is not registered by the JFSC at the time of completing the application.

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.

Fax

A fax is not essential. If the company has a fax number, then please enter it in full, include country code, and area code(s).

Type of Company

Provide the type of company applying for the licence. Also, include if the company is listed in the stock market and in which markets.

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 JGC with 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 entities/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 full name include all middle names and not just the initials.

Address

Enter the officer permanent address. This address will be used for any communication by the JGC.

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. 1st May 1957.

Place of birth

Provide the JGC with the Town and Country of birth.

Nationality

State the officer birth nationality. If the officer has multiple nationalities, please state them all. Also, use the extra 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 JGC with 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 further information on the further information section of the application.

Telephone

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

Office address

Provide an office address for the officer. If the address is the same as the primary officer's address, then just enter – "*Same as above*".

NOTE:

Use the REMOTE GAMBLING LIST ALL OFFICERS AND MANAGEMENT (LAOM1) for any further officers and attach to the main application.

List all shareholders with 5% or more of issued capital

The JGC 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 JGC will use this address if it needs to contact the shareholder for further information;

- The shareholders date of birth. Enter the date using a full format i.e. 1st September 1967; and
- The shareholders 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 reason why in the box provided.

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

Corporate Details

This section deals with the applicant's parent or subsidiary companies. If the applicant is a start up then this section can be ignored, otherwise the JGC 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 is a start-up with no other links to any other companies, then tick the NO option.

Provide group investors with 5% or more beneficial capital

Provide the JGC with 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 JGC, 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. 01st April 1956.

Identity all other controllers/interested parties not mentioned previously

Specify any other entity, individual and/or company that as 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 JGC with the pertinent regulatory authority full identifiable name and the authority full address, as this address will be used by the JGC to contact the authority if required. Note the licensed activity, and provide a point of contact. The applicant should include 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 then the chart should show this link clearly. The chart should also include the parent → subsidiary ownership percentage.

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 provide to the JGC.

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.

Licence Issue Date

Specify the issue date of the licence; enter the date in a full unambiguous format, i.e. 1st 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 JGC 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 auditors full legal name.

Address

Provide the address for the auditor. If required, the JGC 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 JGC to contact the auditor.

Fax

Provide the auditor's fax number if applicable. Include the country code. This number, if required, will be used by the JGC to fax the auditor. State 'No Fax' where relevant.

Email

Provide the auditor's email address. This email address, if required, will be used by the JGC 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 income. 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 JGC with the reason of 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 director's 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 buoyant for at least 3 years. If the company is part of a group 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 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 JGC will not start to process any application until such time that all required documentation is supplied.