

JERSEY GAMBLING COMMISSION



Ancillary Services:

Gambling Software Designers Report on Fees effective from 1st January 2023

The Commission has a duty under Article 46 of the Gambling (Jersey) Law 2012 (the 'Law') 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 software designers 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: Ancillary Services (Software Designers) 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 time to process the application, undertake an inspection of the premises and interview 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: Ancillary Services (Software Designers) Permit

The permit fee covers the cost of regulatory oversight during the five-year life of the permit. The fee is annual and payable in advance. Typically the inspection regime will consider the company's development lifecycle, to include but not limited to the;

- code review approach, procedures and documentation;
- testing methodologies;
- testing documentation and iteration, through the testing phase(s);
- process, procedures and documentation through the development, integration, staging and deployment phases;
- change control process, procedures and documentation; and
- documented use of any external modules, APIs.

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.

Late Payment Fee

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

The Commission will apply a late payment fee using its powers under Article 46(4).

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 permit.

Ancillary Services: Gambling Software Designers Notice of Proposed Fees

The Commission has adopted the following fee structure with effect from 1st January 2023:

Application Fees: £500.00

Permit Fee: £1,660.00

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
December 2013	Inception of permit and adoption of fees.
December 2019	Fees reviewed not increased.
December 2022	Fees reviewed and increased

