



REGULATIONS CONCERNING INTERACTIVE GAMING

These Regulations were enacted by the Kahnawá:ke Gaming Commission on
08 Ohiarikhó:wa/July, 1999 pursuant to Section 24.1 of the *Kahnawá:ke Gaming Law*
and were amended on 02 Tsothóhrha/December, 2009

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PART I: APPLICATION AND PURPOSE

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| <i>Application of these Regulations</i> | 1. | These Regulations apply to all interactive gaming based in and offered from within the Territory, including interactive gaming involving players situated both within and outside the Territory. |
| <i>Licences and authorizations</i> | 2. | The Commission may, subject to the provisions of the Kahnawá:ke Gaming Law (the "Law") and these Regulations, issue such licences and authorizations as are necessary to ensure proper and effective regulation of interactive gaming based in and offered from within the Territory. |
| <i>Harmonization with comparable jurisdictions</i> | 3. | These Regulations may serve as a basis for the harmonization of regulatory schemes concerning interactive gaming in comparable jurisdictions and for co-operation and mutual assistance between the Commission and other regulatory and law enforcement agencies. However, these Regulations are not dependent on the ratification or approval of any other jurisdiction or agency. |
| <i>Purpose</i> | 4. | The purposes of these Regulations are: <ul style="list-style-type: none">(a) to provide a lawful basis for the regulation and control of interactive gaming based in or offered from within the Territory as a means of promoting and preserving economic development, self-sufficiency and peace, order and good government within the Territory;(b) to ensure that interactive gaming is conducted responsibly, fairly, honestly and in the best interests of Kahnawá:kero:non and all other affected parties;(c) to ensure that adequate safeguards are established and enforced to prevent interactive gaming from being associated in any way with crime or criminality;(d) to ensure that the operators of interactive games treat players fairly; that they pay winners promptly and that all information related to player accounts is held in the strictest confidence; and(e) to protect persons under the age of eighteen (18) years and other vulnerable persons from being harmed or exploited by interactive gaming. |
| <i>Prohibition</i> | 5. | Except as permitted by these Regulations, interactive gaming based in or offered from within the Territory is prohibited. |
| <i>Laws of comparable jurisdictions</i> | 6. | Authorized Client Providers are responsible for ensuring that their operations conform to the applicable laws and regulations of comparable jurisdictions, including but not limited to any laws and regulations concerning advertising within the comparable jurisdiction. |

PART II: DEFINITIONS

- Definitions have same meaning* 7. The definitions provided in the Law have the same meaning in these Regulations.
- "Interactive gaming"* 8. Notwithstanding any provision of these Regulations, the Commission may, by amendment to these Regulations or by written directive, provide that a specified activity, or an activity carried on in specified circumstances, is or is not to be treated for the purposes of these Regulations as being "interactive gaming".
- Definitions* 9. For the purposes of these Regulations:
- "applicant" means any person that has applied for an Interactive Gaming Licence, a Client Provider Authorization, Key Person Licence or a renewal of an Interactive Gaming Licence, Client Provider Authorization or Key Person Licence;
- "application" includes an application submitted to the Commission for an Interactive Gaming Licence, a Client Provider Authorization, a Key Person Licence and an application to renew an Interactive Gaming Licence, Client Provider Authorization or Key Person Licence;
- "appropriate resources" means financial resources:
- (a) adequate, in the Commission's opinion, to ensure the financial viability of operations conducted under an Interactive Gaming Licence or Client Provider Authorization; and
 - (b) demonstrably available from a source that is not, in the Commission's opinion, contrary to the purpose of these Regulations or to any law applicable within the Territory;
- "appropriate services" means the services of persons who have appropriate experience to ensure the proper and successful conduct of interactive games;
- "Approved Agent" means a person or persons approved by the Commission to carry out any of the functions set forth in these Regulations, for and on behalf of the Commission;
- "Authorized Client Provider" means the holder of a valid Client Provider Authorization issued by the Commission;
- "authorized game" means an interactive game that an Authorized Client Provider is permitted to conduct under the Law and these Regulations;
- "bet" means money or something of value put at risk by betting;
- "betting" means making or accepting a bet on:
- (a) the outcome of a race, competition or other event or process;
 - (b) the likelihood of anything occurring or not occurring; or
 - (c) whether anything is or is not true.
- For greater certainty:
- (a) a transaction that relates to the outcome of a race, competition or other event or process may be a "bet" within the meaning of

this definition despite the facts that:

- (i) the race, competition, event or process has already occurred or been completed; and
 - (ii) one party to the transaction knows the outcome;
- (b) A transaction that relates to the likelihood of anything occurring or not occurring may be a “bet” within the meaning of this definition despite the facts that:
- (i) the thing has already occurred or failed to occur; and
 - (ii) one party to the transaction knows that the thing has already occurred or failed to occur.

“Commission” means the Kahnawá:ke Gaming Commission;

“comparable jurisdiction” means any licensing jurisdiction other than Kahnawá:ke which has laws and regulations comparable to the present Regulations that ensure the integrity of interactive gaming and suitability of the persons and operations related thereto;

“control system” means a system of internal controls for the conduct of authorized games by an Authorized Client Provider that includes, but is not limited to, information about the following:

- (a) accounting systems and procedures and charts of accounts;
- (b) administrative systems and procedures;
- (c) gaming and accounting software;
- (d) standard forms and terms;
- (e) general procedures to be followed for the conduct of any form of interactive gaming;
- (f) procedures for preventing underage players from participating in any form of interactive gaming;
- (g) procedures for detecting and preventing money-laundering;
- (h) procedures for ensuring fairness, including but not limited to detecting and preventing collusion or other kinds of fraud by or among players;
- (i) procedures and standards for the maintenance, security, storage and transportation of interactive gaming equipment
- (j) procedures for recording gaming transactions and the payment of winnings to players, and
- (k) its auditors;

“decision” includes:

- (a) conduct engaged in to make a decision;
- (b) conduct related to making a decision; and
- (c) failure to make a decision;

"dishonest act" includes fraud, misrepresentation, theft and any other act or omission which the Commission deems to be a dishonest act;

"game of chance" includes:

- (a) a game that involves both an element of chance and an element of skill;
- (b) a game that involves an element of chance that can be eliminated by superlative skill; and
- (c) a game that is presented as involving an element of chance, but does not include a sport.

For greater certainty, a player plays a game of chance if he or she participates in a game of chance:

- (a) whether or not there are other participants in the game; and
- (b) whether or not a computer generates images or data taken to represent the actions of other participants in the game;

"gaming records" means all records directly or indirectly related to the interactive games produced by an Authorized Client Provider, including but not limited to player account information, wagers placed and outcomes of games played;

"Inspector" means:

- (a) a member of the Commission;
- (b) a person holding an appointment as an Inspector under these Regulations (an "internal Inspector"); or
- (c) a person who holds an appointment as an inspector under a law of a comparable jurisdiction and is authorized in writing by the Commission to act as an Inspector under these Regulations (an "external Inspector");

"interactive gaming" means:

- (a) playing a game of chance for a prize; or
- (b) betting;

by means of:

- (a) the internet;
- (b) telephone;
- (c) television;
- (d) radio; or
- (e) any other kind of electronic or other technology for facilitating communication;

"Kahnawá:kero:non" means a person identified as a Mohawk and a member of the community of Kahnawá:ke pursuant to the Kahnawá:ke Membership Law, as it may be amended from time to time;

"key person" means a person identified as a key person in these Regulations;

“key relationship” means a relationship between a Licence holder or an Authorized Client Provider and another person as a result of which the other person is a key person;

“licence”, depending on the context, means either or both an Interactive Gaming Licence or Key Person Licence;

“Licence holder” means the holder of a valid Interactive Gaming Licence issued by the Commission;

“material change” means a change that affects an applicant, Licence holder or Authorized Client Provider, including but not limited to:

- (a) the appointment of a new Director;
- (b) the addition of a new Shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant, Licence holder or Authorized Client Provider;
- (c) the addition, termination or change in functions of a key person;
- (d) a change to a control system that affects, or may affect, the functionality of an authorized game, or
- (e) a change to the contact information previously provided to the Commission;

“Official” means:

- (a) a person acting in an official capacity under the Law or these Regulations, other than a member of the Commission;
- (b) an Inspector; or
- (c) a person acting under the direction of an Inspector;

“person” includes an individual, corporation, partnership, limited liability company and any other business entity recognized under the laws applicable within the Territory;

“player” means a person who has attained the full age of eighteen (18) years and who participates in an interactive game;

“player’s account” means an account:

- (a) in the name of the player:
 - (i) at a financial institution, or
 - (ii) with a body approved by the Commission, and
- (b) against which the Authorized Client Provider has a right to debit the amount of a bet or wager;
- (c) that is established on a basis under which the player may only have direct recourse to the account:
 - (i) to ascertain the balance of funds in the account or to close the account;
 - (ii) to obtain the whole or part of an amount paid into the account as a prize in authorized game, or
 - (iii) as authorized by the Licence holder, Authorized Client Provider or the Commission;

“prize”:

- (a) means money or money's worth; and
- (b) includes both a prize provided by a person offering a game of chance and winnings of money staked;

“Show Cause Notice” means the notice provided by the Commission to the Licence holder or Authorized Client Provider, as set forth in these Regulations;

“Show Cause Period” means the period set forth in these Regulations;

“Show Cause Procedure” means the procedure set forth in these Regulations;

“Territory” means the lands held by and under the jurisdiction of the Mohawks of Kahnawá:ke, referred to by the government of Canada as “Kahnawake Indian Reserve No. 14”;

PART III: LICENSING - MANDATORY PROVISIONS

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| <i>Types of licences and authorizations</i> | 10. | The Commission may issue the following types of licences and authorizations: <ul style="list-style-type: none">(a) an Interactive Gaming Licence;(b) Client Provider Authorizations; and(c) Key Person Licences. |
| <i>Appending Client Provider Authorization</i> | 11. | All Client Provider Authorizations issued by the Commission must be appended to a valid Interactive Gaming Licence. |
| <i>Validity of Client Provider Authorization</i> | 12. | A Client Provider Authorization is only valid and enforceable for so long as the Interactive Gaming Licence to which it is appended is in good standing. |
| <i>Joint responsibility</i> | 13. | A Licence holder is jointly responsible for the acts or omissions of an Authorized Client Provider that are in breach of the Law or these Regulations, provided that the Licence holder: <ul style="list-style-type: none">(a) was aware, or should reasonably have been aware, of the act or omission; and(b) failed:<ul style="list-style-type: none">(i) to take steps to prevent the breach; or(ii) to notify the Commission of the breach. |
| <i>Breach by a Licence holder</i> | 14. | Any breach of the Law or these Regulations by a Licence holder may result in the suspension or revocation of its Interactive Gaming Licence and the Client Provider Authorizations appended thereto, and/or the imposition of such fines as are prescribed in these Regulations. |
| <i>Breach by an Authorized Client Provider</i> | 15. | Any breach of the Law or these Regulations by an Authorized Client Provider may result in the suspension or revocation of its Client Provider Authorization, and of the Interactive Gaming Licence to which the Client Provider Authorization is appended, and/or the imposition of such fines |

as are prescribed in these Regulations.

- Costs of applications* 16. All applicants are responsible to the Commission for all costs incurred by the Commission related to the processing of an application. In the event these costs exceed the amount of the application fee, the Commission will notify the applicant in writing to provide a further fee in such amount as the Commission may determine. In the event the Commission does not receive payment of the further fee within ten (10) days of the date of the Commission's notice to the applicant, processing of the application will be suspended until the further fee is received or, if a licence or authorization has already been granted, it may be suspended or revoked.
- Discretion to deny* 17. The Commission, in its sole discretion, may deny any application even if the requirements set out in these Regulations have been met.
- Form of Interactive Gaming Licence and Client Provider Authorization* 18. An Interactive Gaming Licence and Client Provider Authorizations will be in the form prescribed by the Commission and will, in addition to any other matter which the Commission deems to be appropriate, specify:
- (a) the name, address, telephone number, fax number and email address of the Licence holder or Authorized Client Provider;
 - (b) the address of the Licence holder's premises from which the Authorized Client Provider will conduct interactive gaming;
 - (c) the authorized games the Authorized Client Provider is permitted to conduct;
 - (d) commencement and termination dates of the licence or authorization;
 - (e) any other terms and conditions that are in the public interest and that the Commission, in its sole discretion, considers necessary or desirable for the proper conduct of interactive games;
 - (f) a clause stating that the Commission and its members, employees and agents are not liable for any damages, losses, costs or liabilities incurred by a Licence holder or Authorized Client Provider; and
 - (g) a clause stating that the Licence holder or Authorized Client Provider has agreed to indemnify the Commission against any claims, demands or actions and any resulting damages, awards or costs (including legal costs) brought by any third party against the Commission in relation to the acts or omissions of a Licence holder or Authorized Client Provider.
- General restrictions* 19. An Interactive Gaming Licence and a Client Provider Authorization:
- (a) subject to the provisions of these Regulations, may be amended, suspended or revoked for any breach of the Law, these Regulations, the terms and conditions of the Interactive Gaming Licence or Client Provider Authorization or any direction issued by the Commission;
 - (b) are not valid unless and until the prescribed fees have been paid in full, and
 - (c) may not be sold, transferred, mortgaged or assigned.

- Restrictions* 20. Notwithstanding any other provision of these Regulations, an Authorized Client Provider, including their respective members, shareholders, directors, officers, employees (contractual or otherwise) and agents must not engage in the following activities by way of voice communication with a player, through any device or means:
- (a) betting;
 - (b) receiving or accepting instructions in relation to the deposit or withdrawal of funds into or from a player's account;
 - (c) offering a player incentives or bonuses or encouraging a player to increase their participation in interactive gaming.

PART IV: LICENSING - ASSESSING SUITABILITY

- Initial investigations* 21. The Commission, or such person as the Commission may appoint as an Approved Agent for the purpose, will conduct a thorough investigation to determine an applicant's suitability to hold an Interactive Gaming Licence, Client Provider Authorization or Key Person Licence.
- Other investigations* 22. The Commission, or such person as the Commission may appoint as an Approved Agent for the purpose, may at any time after a licence or authorization has been granted, investigate a Licence holder, Authorized Client Provider or key person if the Commission reasonably suspects the Licence holder, Authorized Client Provider or key person is not, or is no longer, suitable to hold a licence or authorization issued by the Commission.
- Information for investigation* 23. In investigating a Licence holder, Authorized Client Provider or key person the Commission may, by written notice given to the person, require the person to give the Commission information or documentation the Commission considers relevant to the investigation and the person must comply with the requirement.
- Assessing suitability* 24. The Commission may consider an applicant suitable to hold an Interactive Gaming Licence, an Client Provider Authorization or a Key Person Licence, if the applicant satisfies the Commission that:
- (a) in the case of an individual, the applicant is a person of good character, honesty and integrity; taking into consideration any matter the Commission considers relevant, including but not limited to the following:
 - (i) personal, professional and business associations;
 - (ii) history of criminal convictions;
 - (iii) history of civil litigation;
 - (iv) credit history or bankruptcies;
 - (v) personal and professional references;
 - (vi) education, training and work history; and
 - (b) in the case of a corporation, the applicant has:
 - (i) a good business reputation, sound current financial position and financial background;

- (ii) arranged a satisfactory ownership and corporate structure;
- (iii) the appropriate resources, services, skills and technical ability to provide the services authorized by its licence or authorization;
- (iv) each director, shareholder with ten percent (10%) or more ownership of or controlling interest in the corporation and key person, is a suitable individual; and
- (v) any other matter prescribed under these Regulations, under a law applicable within the Territory or which the Commission otherwise deems appropriate.

Prima facie evidence of suitability 25. The Commission may consider proof that an applicant has been licensed to conduct gaming in a comparable jurisdiction as *prima facie* evidence of the applicant's suitability to conduct interactive gaming within the Territory.

PART V: INTERACTIVE GAMING LICENCE

Entitlement 26. Subject to the provisions of these Regulations, the holder of a valid Interactive Gaming Licence is entitled to operate a co-location facility that provides internet services to Authorized Client Providers and any matters necessarily incident thereto.

Prohibition 27. The holder of a valid Interactive Gaming Licence must not provide services to any person engaged in interactive gaming unless that person is an Authorized Client Provider.

Limitation 28. To ensure the best interests of the community of Kahnawá:ke are upheld, only one Interactive Gaming Licence will ever be issued by the Commission at any given time.

Applying for an Interactive Gaming Licence 29. To be considered by the Commission, an application for an Interactive Gaming Licence must include the following, duly completed as required:

- (a) an Application for an Interactive Gaming Licence, in the form attached as Schedule "A";
- (b) Business Entity Information Form, in the form attached as Schedule "B" to these Regulations;
- (c) Personal Information Forms, in the form attached as Schedule "C" to these Regulations for each director and shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant corporation;
- (d) Key Person Licence Application Forms, in the form attached as Schedule "E" to these Regulations, for each of the applicant's key persons;
- (e) Key Person Licence Application fees, as provided in these Regulations;
- (f) Detailed information about structure, equipment and services to be offered by the co-location facility the applicant proposes to operate;

- (g) an application fee in the amount of Twenty Five Thousand (\$25,000.00) Dollars, which includes:
 - (i) the estimated cost of conducting the Commission's due diligence regarding the applicant and the individuals who have provided Personal Information Forms (non-refundable); and
 - (ii) the first annual licensing fee (refundable if an application is not granted);
 but which does not include any costs associated with the Commission's assessment of the information concerning the co-location facility the applicant proposes to operate - which cost will be paid by the applicant to the Commission upon being presented the appropriate invoice.

Granting an Interactive Gaming Licence - Considerations

- 30. The Commission may grant an Interactive Gaming Licence only if the applicant satisfies the Commission that:
 - (a) the premises at which the co-location facility is to be operated is wholly situated within the Mohawk Territory of Kahnawá:ke;
 - (b) the applicant has established and is capable of operating a co-location facility that provides internet service, and all required support services which, in the Commission's sole discretion, are capable of providing suitable and reliable internet services to Authorized Client Providers;
 - (c) the applicant satisfies the eligibility requirements of the Law and is suitable to hold an Interactive Gaming Licence;
 - (d) each director, shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant, is a suitable person;
 - (e) each of the applicant's key persons are suitable persons;
 - (f) the applicant is a business entity that has a good business reputation, sound current financial position and financial background; and
 - (g) the applicant has satisfied any other requirement that the Commission, in its sole discretion, deems appropriate.

Decision

- 31. Subject to the foregoing sections, the Commission will promptly consider the application and will:
 - (a) grant the application and issue an Interactive Gaming Licence;
 - (b) deny the application: or
 - (c) return the application to the applicant with a request for additional information.

Reasons for refusal

- 32. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant.

Maximum term

- 33. An Interactive Gaming Licence will not be granted for a period of time exceeding two years.

PART VI: CLIENT PROVIDER AUTHORIZATIONS

- Entitlement* 34. Subject to the provisions of these Regulations, the holder of a valid Client Provider Authorization is entitled to conduct interactive gaming, but only from the co-location facility that is owned and operated by the holder of a valid Interactive Gaming Licence.
- Applying for a Client Provider Authorization* 35. To be considered by the Commission, an application for an Client Provider Authorization must include the following, duly completed as required:
- (a) an Application for a Client Provider Authorization, in the form attached as Schedule “D”;
 - (b) Business Entity Information Form, in the form attached as Schedule “B” to these Regulations;
 - (c) Personal Information Forms, in the form attached as Schedule “C” to these Regulations for each director and shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant corporation;
 - (d) Key Person Licence Application Forms, in the form attached as Schedule “E” to these Regulations, for each of the applicant’s key persons;
 - (e) Key Person Licence Application fee in the amount of Five Thousand (\$5,000.00) for each proposed key person;
 - (f) a letter from the holder of a valid Interactive Gaming Licence, indicating that it is aware of and consents to having the applicant’s Client Provider Authorization, if it is granted, appended to the Interactive Gaming Licence;
 - (g) except as otherwise directed by the Commission, a Control System Submission, in the form attached as Schedule “I” to these Regulations;
 - (h) an application fee in the amount of Twenty Five Thousand (\$25,000.00) Dollars, which includes:
 - (i) the estimated cost of conducting the Commission’s due diligence regarding the applicant and the individuals who have provided Personal Information Forms (non-refundable); and
 - (ii) the first annual licensing fee (refundable if an application is not granted);but which does not include any costs associated with the Commission’s assessment of the applicant’s Control System Submission - which cost will be paid by the applicant to the Commission upon being presented the appropriate invoice.

- Granting a Client Provider Authorization - Considerations* 36. The Commission may grant a Client Provider Authorization only if the applicant satisfies the Commission that:
- (a) the applicant is suitable to hold an Client Provider Authorization;
 - (b) each director, shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant, is a suitable person;
 - (c) each of the applicant's key persons are suitable persons;
 - (d) the applicant is the owner or licensee of control systems that are capable of providing fair and reliable interactive gaming and that satisfy each of the other requirements of a control system as defined by these Regulations;
 - (e) the Commission and the Applicant have agreed on the design of, and an implementation schedule for, a continuous compliance program;
 - (f) the applicant is a business entity that has a good business reputation, sound current financial position and financial background;
 - (g) the applicant has satisfied any other requirement that the Commission, in its sole discretion, deems appropriate.
- Independent consideration* 37. The Commission will consider each application for a Client Provider Authorization independently from the Interactive Gaming Licence to which it is proposed to be appended and independently from any other Client Provider Authorization already appended to the Interactive Gaming Licence.
- Decision* 38. Subject to the foregoing section, the Commission will promptly consider the application and will:
- (a) grant the application and issue a Client Provider Authorization for an initial term of six (6) months;
 - (b) deny the application; or
 - (c) return the application to the proposed client provider with a request for additional information.
- Reasons for refusal* 39. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant.
- Notification* 40. In the event an application is granted:
- (a) the Commission will notify in writing, the Authorized Client Provider and the holder of the Interactive Gaming Licence to which the Client Provider Authorization is to be appended;
 - (b) the Client Provider Authorization will be appended to the Licence holder's Interactive Gaming Licence;
 - (c) an original Client Provider Authorization certificate will be provided to the Authorized Client Provider.
- Initial term* 41. During the initial six (6) month term after the issuance of a Client Provider Authorization, the Authorized Client Provider must implement, to the Commission's satisfaction, the appropriate continuous compliance program.

- Renewing initial Client Provider Authorization - Considerations* 42. Not less than thirty (30) days prior to the expiry of the initial six (6) month period after the issuance of a Client Provider Authorization, the Commission will review the Authorized Client Provider's performance during this period of time, and will in particular consider whether:
- (a) the Authorized Client Provider has satisfactorily implemented the appropriate continuous compliance program;
 - (b) there have been an inordinate number of complaints from players or other third parties in relation to the Authorized Client Provider's operations, control systems, payment processes or any other matter;
 - (c) the Authorized Client Provider has breached these Regulations or any other law applicable within the Territory; and
 - (d) the Authorized Client Provider has committed any other act or omission that negatively affected the credibility or reputation of the Commission, the Territory or any person or entity within the Territory.
- Decision* 43. As soon as possible after the review referred to in the foregoing section 42, and in any event prior to the expiry of the initial six (6) month, the Commission will, based on the information reviewed:
- (a) renew the Client Provider Authorization for a term not exceeding two years;
 - (b) not renew the Client Provider Authorization; or
 - (c) extend the term of the Client Provider Authorization for another three months.
- Extensions* 44. If a Client Provider Authorization is extended pursuant to subsection 43(c) the provisions of sections 42 and 43 will apply, *mutatis mutandis*.
- Limitation on extensions* 45. A Client Provider Authorization may not be extended pursuant to subsection 43(c) more than once.

PART VII: SECONDARY CLIENT PROVIDER AUTHORIZATIONS

- Application for Secondary Client Provider Authorization* 46. An application for a Secondary Client Provider Authorization may be submitted to the Commission by:
- (a) an applicant who is not an Authorized Client Provider, or
 - (b) an Authorized Client Provider.
- Application by an applicant* 47. If the application for a Secondary Client Provider Authorization is made by an applicant who is not an Authorized Client Provider:
- (a) the application must be submitted to the Commission in the form attached as Schedule "F" to these Regulations, and
 - (b) the provisions of these Regulations for submitting, receiving, reviewing and deciding an application for a Client Provider Authorization will also apply to an application for a Secondary Client Provider Authorization, *mutatis mutandis*;
 - (c) the application must be accompanied by an application fee in

the amount of Twenty Five Thousand (\$25,000.00) Dollars.

- Application by an Authorized Client Provider* 48. If the application for a Secondary Client Provider Authorization is made by an Authorized Client Provider:
- (a) the applications must be submitted to the Commission in the form attached as Schedule “G” to these Regulations;
 - (b) provided the Commission is satisfied that there are no changes to the ownership, control or management of the Authorized Client Provider or to its control systems, the provisions of these Regulations for reviewing the suitability of the Authorized Client Provider, its key persons and control systems will not apply;
 - (c) the application must be accompanied by an application fee in the amount of Fifteen Thousand (\$15,000.00) Dollars.
- Criteria for assessing application* 49. The Commission may issue to an applicant a Secondary Client Provider Authorization if the Commission is satisfied that:
- (a) the applicant holds a valid licence to operate interactive gaming issued by a comparable jurisdiction (the “primary jurisdiction”);
 - (b) the applicant or Authorized Client Provider has its head office and primary focus of operations in the primary jurisdiction;
 - (c) the same type of gaming activity offered, or authorized to be offered, by the applicant or Authorized Client Provider from its servers located within Kahnawá:ke are also offered, or authorized to be offered, from servers located within the primary jurisdiction.
- Proof of licence in primary jurisdiction* 50. Proof of a valid licence from the primary jurisdiction must be provided to the Commission at the time of the application for the Secondary Client Provider Authorization and updated on an annual basis.
- Lapse of licence in primary jurisdiction* 51. In the event the licence from the primary jurisdiction is suspended, revoked or allowed to lapse, the holder of a Secondary Client Provider Authorization must, within thirty (30) days, apply for a Client Provider Authorization under these Regulations, failing which the Commission may suspend or revoke the Secondary Client Provider Authorization.
- Application of Regulations* 52. Except as provided herein, the holder of a Secondary Client Provider Authorization is subject to the all provisions of these Regulations, including the payment of annual fees, as the holder of a Client Provider Authorization.
- Notation* 53. A Secondary Client Provider Authorization will have a notation on its face that it is a “Secondary Client Provider Authorization” and will make reference to the licence issue by the primary jurisdiction.
- Exemption* 54. The holder of a valid Secondary Client Provider Authorization is not required to display the Commission’s logo, address, telephone number, fax number or e-mail address on its website and will not be listed on the Commission’s website.

PART VIII: KEY PERSON LICENCES

- Two types of key persons* 55. For the purposes of these Regulations, there are two types of key persons; namely persons who are employed or contracted by a Licence holder or Authorized Client Provider to perform either:
- (a) key managerial functions; or
 - (b) key operational functions.
- Key person must apply for Key Person Licence* 56. Any person who performs a key managerial function or a key operation function for a Licence holder or an Authorized Client Provider - or who is deemed to be a key person under these Regulations - must apply for a Key Person Licence. Notwithstanding any other provision of these Regulations, the issuance of a Key Person Licence does not remove overall responsibility from the holder of an Interactive Gaming Licence or Client Provider Authorization for the acts or omissions of a key person
- Key persons for Licence holder* 57. The holder of an Interactive Gaming Licence must designate at least two key persons: one who performs key managerial function and one who performs key operational functions for or on behalf of the Licence holder.
- Key person for Authorized Client Provider* 58. All Authorized Client Providers must designate at least one person as the person who performs key managerial functions for or on behalf of the Authorized Client Provider.
- Direction from Commission* 59. When a person has or may have the potential to manipulate the outcome of a authorized game for his or her advantage or for the advantage of others, notwithstanding the foregoing section 58, the Commission will direct the Authorized Client Provider to designate that person as a person who performs key operational functions for or on behalf of the Authorized Client Provider and require that person to apply for a Key Person Licence.
- Deemed key persons - managerial* 60. Notwithstanding any other provision of these Regulations, persons holding the following titles or performing the functions normally associated these titles, are deemed to be performing key managerial functions for or on behalf of an applicant, Licence holder or Authorized Client Provider:
- (a) Chief Executive Officer;
 - (b) Chief Financial Officer;
 - (c) Office Manager.
- Deemed key persons - operational* 61. Notwithstanding any other provision of these Regulations, persons holding the following titles or performing the functions normally associated these titles, are deemed to be performing key operational functions for or on behalf of an applicant, Licence holder or Authorized Client Provider:
- (a) Chief Operations Officer;
 - (b) Chief Technology Officer.

- Requirements for Key Person Licence* 62. The Commission will grant an application for a Key Person Licence to either type of key persons, only if the person applying for the Key Person Licence satisfies all of the following requirements:
- (a) he or she has submitted to the Commission:
 - (i) a duly completed "Application for a Key Person Licence", in the form attached as Schedule "B" to these Regulations;
 - (ii) a letter from the proposed Licence holder or Authorized Client Provider addressed to the Commission confirming the existence or proposed existence of the key relationship, the type of key function the proposed key person will perform and the type of training the proposed key person has received that would qualify him or her to perform the proposed key person function;
 - (iii) a Key Person Licence application fee in the amount of Five Thousand (\$5,000.00) Dollars, which includes:
 - 1. the estimated cost of conducting the Commission's due diligence regarding the applicant (non-refundable); and
 - 2. the first annual licensing fee (refundable if an application is not granted);
 - (iv) a duly completed Personal Information form, in the form attached as Schedule "C" to these Regulations;
 - (b) the Commission is satisfied that the applicant is a suitable person.
- Decision* 63. Subject to the foregoing sections, the Commission will promptly consider the application and will
- (a) grant the application and issue a Key Person Licence;
 - (b) deny the application; or
 - (c) return the application to the applicant with a request for additional information.
- Conditions* 64. The Commission may issue a Key Person Licence:
- (a) on conditions the Commission considers necessary or desirable for the proper conduct of interactive games; and
 - (b) on other conditions the Commission considers necessary or desirable in the public interest.
- Reasons for refusal* 65. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant and to the Licence holder or authorized client provide with whom the person was proposed to have a key relationship.
- Notification* 66. In the event an application is granted the Commission will notify in writing, the key person and the Licence holder or Authorized Client Provider with whom the person is to have the key relationship.
- Must not accept employment* 67. A person must not accept employment or provide services as a key person with a Licence holder or Authorized Client Provider, or agree to carry out the duties of a key person, unless the person has applied for

and been granted a Key Person Licence. A Licence holder or Authorized Client Provider must not employ a person to carry out the functions of a key person, unless the person has applied for and been granted a Key Person Licence.

- Directive to appear before Commission* 68. The Commission may, by issuing a written directive, require a key person to appear before it to answer any questions or to provide any documents or other information the Commission requests. A key person upon whom a written directive under this section is served, must appear as required and respond to the Commission's questions and comply with its requests.
- Direction* 69. Notwithstanding any other provision of these Regulations, If the Commission reasonably believes a person, other than a Key Person Licence holder, is performing either key managerial function or key operational functions, the Commission may, by written notice given to the person, with copies to the Licence holder or Authorized Client Provider with whom the key relationship exists, direct the person either to apply for a Key Person Licence or to terminate the relevant key relationship, within seven (7) days of receiving the notice.
- Compliance with direction* 70. The person must comply with the Commission's direction within seven (7) days of receiving the notice or such other period of time that the Commission may specify in the notice.
- Voluntary termination of key relationship* 71. If as a result of receiving a direction pursuant to section 69, a Licence holder or Authorized Client Provider elects to terminate the relevant key relationship:
- (a) the Commission must be provided proof, satisfactory to the Commission, that the key relationship has in fact been terminated; and
 - (b) the Licence holder or Authorized Client Provider must identify the person who will perform the functions that were previously provided by the person who was terminated and, unless the Commission directs otherwise, the new person must apply for a Key Person Licence.
- Mandatory termination of key relationship* 72. If the Commission denies an application for a Key Person Licence, the Commission will, by written notice given to the person, with copies to the Licence holder or Authorized Client Provider with whom the key relationship exists, require the person to terminate the relevant key relationship within the time stated in the notice and the person must comply with the requirement within the time stated in the notice.
- Direction or requirement to terminate key relationship* 73. If a direction or requirement is made of a person under the foregoing sections and the person fails to comply with the requirement, the Commission will, by written notice given to the Licence holder or Authorized Client Provider with whom the key relationship exists, require the Licence holder or Authorized Client Provider to take any necessary action to terminate the key relationship within the time stated in the notice and the Licence holder or Authorized Client Provider must comply with the requirement within the time stated in the notice.
- No liability* 74. A person does not incur any liability as a result of action taken to comply with a notice under this Part.
- Term* 75. A Key Person Licence may be granted for a term not exceeding two

years but may be renewed an unlimited number of times.

- Renewal applications* 76. A Key Person Licence may be renewed in accordance with the process for renewing an Interactive Gaming Licence or Client Provider Authorization set out in these Regulations, *mutatis mutandis*. For greater certainty, the renewal fee for a Key Person Licence is included in the renewal application fee prescribed in section 105, provided the anniversary of the Key Person Licence coincides with the anniversary of the relevant Interactive Gaming Licence or Client Provider Authorization. If the renewal date of a Key Person Licence does not coincide with the anniversary of a relevant Interactive Gaming Licence or Client Provider Authorization, the Key Person Licence renewal application fee is Two Thousand Five Hundred (\$2,500.00) Dollars.
- Form of Key Person Licence* 77. A Key Person Licence will be in the form prescribed by the Commission and will include the following:
- (c) the key person's name;
 - (d) a recent photograph of the key person;
 - (e) the date of issue of the licence;
 - (f) the conditions of the licence;
 - (g) other conditions or particulars the Commission deems to be appropriate;
- Lapse* 78. A Key Person Licence lapses if there has been no key relationship between the key person and a Licence holder or Authorized Client Provider for a continuous period of six (6) months.

PART IX: ANNUAL LICENSING FEES

- Annual licensing fees* 79. In addition to any other fees provided in these Regulations, licence and authorization holders must pay annual licensing fees as follows:
- (a) for an Interactive Gaming Licence: Ten Thousand (\$10,000.00) Dollars;
 - (b) for an Client Provider Authorization: Ten Thousand (\$10,000.00) Dollars;
 - (c) for a Key Person Licence: One Thousand (\$1000.00) Dollars.
- Anniversary date* 80. Annual licensing fees must be paid in full on or before the anniversary of the date on which the licence or authorization was first issued and on or before each subsequent anniversary date.
- Notice to pay* 81. The Commission will, not less than thirty (30) days before the date on which an annual licensing fee is due, send a written notice (the "notice to pay") to the affected Licence holder, Authorized Client Provider or key person, advising of the amount of the annual licensing fee and the date on which payment is due.
- No excuse* 82. Failure to receive a notice to pay does not excuse a Licence holder, Authorized Client Provider or key person from his, her or its obligation to pay the appropriate annual licensing fee.

- Penalty on unpaid amount* 83. A Licence holder, Authorized Client Provider or key person must pay to the Commission a penalty on the amount of a licence or authorization fee outstanding (the “unpaid amount”) as at the end of the period allowed for payment.
- Calculation of penalty* 84. The penalty is ten percent (10%) per annum of the unpaid amount calculated on a per diem basis from the date the fee was due until it is paid in full.
- Joint liability* 85. A Licence holder is jointly and severally liable for the payment of an Authorized Client Provider’s annual licensing fees, including penalties, for any Client Provider Authorization appended to the Licence holder’s Interactive Gaming Licence.
- Debt payable to the Commission* 86. The amount of a licence fee, authorization fee or penalty payable under this Part is a debt payable to the Commission and may be recovered by action in a court of competent jurisdiction.
- Suspension or revocation* 87. Failure to pay in full the annual licensing fees provided in these Regulations may, in addition to the penalties provided in these Regulations, result in the suspension or revocation of the licence or authorization in question.

PART X: POSTING SECURITY FOR OPERATIONS

- Posting Security* 88. All Licence holders and Authorized Client Providers must provide the type and amount of security for the costs and expenses incurred by their operations, including but not limited to obligations owed to players, as directed by the Commission.
- Use of security* 89. In the event a Licence holder or Authorized Client Provider does not fulfill its obligations to the Commission, a Licence holder or to a player, the Commission may take such measures as may be required to use the security provided by the Licence holder or Authorized Client Provider to satisfy the obligation in question.
- Discretion* 90. The Commission will decide whether a Licence holder or Authorized Client Provider should be required to post security under this Part and, if so, determine the type and amount of security that a Licence holder or Authorized Client Provider must provide, how the security is to be held and for what period of time.
- Types of security* 91. The types of security may be one or more of the following:
- (a) a bond;
 - (b) insurance;
 - (c) a lien or charge against:
 - (i) physical assets;
 - (ii) accounts receivable;
 - (iii) internet domain names;
 - (iv) client lists;
 - (v) cash deposit; or

- (vi) such other type of security that is satisfactory to the Commission.
- Security may vary* 92. The type and amount of security may vary according to the circumstances of the Licence holder or Authorized Client Provider.
- Application to vary security* 93. The type and amount of security may be varied by the Commission, in its sole discretion, upon application by a Licence holder or Authorized Client Provider.
- Other types of security* 94. Notwithstanding anything in this Part, the Commission may direct a Licence holder or Authorized Client Provider to provide a type of security that is not referenced in this Regulations.

PART XI: MATERIAL CHANGE REPORTS

- Material Change Reports* 95. Every Licence holder, Authorized Client Provider and applicant, must report to the Commission any material change to the information that was provided to the Commission for the purposes of an application (a “material change report”).
- Receipt of material change report* 96. A material change report must be in writing, must clearly identify the material change in question and must be received by the Commission:
 - (a) wherever possible, at least thirty (30) days prior to the date on which the proposed material change is to be effective; or
 - (b) in any event, not later than seven (7) days from the date on which the material change was effective.
- Costs* 97. The costs incurred by the Commission associated with its assessment of a material change report will be paid to the Commission by the Licence holder, Authorized Client Provider or applicant that submitted the report, upon being presented the appropriate invoice.
- Failure to report a material change* 98. Failure to report a material change to the Commission as required by this Part may result in one or more of the following sanctions:
 - (a) the immediate amendment, suspension or revocation of the Interactive Gaming Licence or Client Provider Authorization to which the change relates;
 - (b) for each material change that was not reported, a fine of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
- Application may be denied* 99. In the case of an application, failure to report a material change is a sufficient ground for denial of the application.
- Direction* 100. The Commission will consider the information in a material change report, including a material change report that is received after the material change is effective, and will issue such written directions to Licence holder, Authorized Client Provider or applicant as the Commission, in its sole discretion, deem necessary and appropriate under the circumstances.
- Licence holder must notify* 101. Notwithstanding any other provision of this Part, a Licence holder notify the Commission in writing that an Authorized Client Provider has, or is

considering, voluntarily terminating its Client Provider Authorization and/or removing a significant portion of its equipment from the Licence holder's premises. For the purposes of this section, "significant portion" means more than half of an Authorized Client Provider's equipment, measure in terms of quantity or value.

PART XII: RENEWAL APPLICATIONS

- Requirement to renew* 102. Each Interactive Gaming Licence and Client Provider Authorization must be renewed in accordance with the procedures in this Part, failing which the Interactive Gaming Licence or Client Provider Authorization will terminate on its termination date.
- Renewal Applications* 103. An application to renew an Interactive Gaming Licence or Client Provider Authorization must be submitted to the Commission in the form attached as Schedule "H" to these Regulations (a "renewal application").
- Receipt of renewal application* 104. A renewal application must be received by the Commission not less than three months prior to the termination date of the Interactive Gaming Licence or Client Provider Authorization.
- Renewal application fee* 105. To be considered by the Commission, a renewal application must contain all of the information requested in Schedule "H" and be accompanied by a non-refundable renewal application fee in the amount of Five (\$5,000.00) Dollars.
- Decision* 106. Subject to the foregoing section, the Commission will promptly consider the renewal application and will:
- (a) grant the renewal application and renew the Interactive Gaming Licence or Client Provider Authorization for a period of two years;
 - (b) deny the renewal application; or
 - (c) return the renewal application with a request for additional information.
- Reasons for refusal* 107. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant.
- Grounds for denying renewal application* 108. In deciding whether to grant a renewal application, the Commission will consider any material changes to the information previously provided to the Commission and any complaints, concerns or problems that may have arisen in the previous term related to the Licence holder or Authorized Client Provider and will deny the renewal application if, in the Commission's sole discretion, the complaints, concerns or problems are sufficiently serious or numerous.
- Application of Regulations* 109. An Interactive Gaming Licence or Client Provider Authorization that is renewed under this Part continues to be subject to the all provisions of these Regulations.

PART XIII: AMENDMENTS

- Amendments to Licence or Authorization* 110. The Commission may amend any term or condition of an Interactive Gaming Licence or Client Provider Authorization if the Commission considers it is necessary or desirable to make the amendment for the proper conduct of authorized games by an Authorized Client Provider or that the amendment is otherwise in the public interest.
- Amendment notice* 111. If the Commission decides to amend an Interactive Gaming Licence or Client Provider Authorization, the Commission must promptly give the Licence holder or Authorized Client Provider, written notice (the "amendment notice") of the change and the reasons for the change.
- New terms or conditions* 112. The authority of the Commission under this section includes the authority to add such new terms or conditions as the Commission, in its sole discretion, deems appropriate.
- Requirement before amending* 113. Before amending an Interactive Gaming Licence or Client Provider Authorization, the Commission must follow the show cause procedures set out in these Regulations.
- Must return licence or authorization* 114. The Licence holder or Authorized Client Provider, as the case may be, must return the existing Interactive Gaming Licence or Client Provider Authorization to the Commission within seven (7) days of receiving the amendment notice.
- Failure to return licence or authorization* 115. In the event the Licence holder or Authorized Client Provider fails or refuses to return the existing Interactive Gaming Licence or Client Provider Authorization to the Commission pursuant to section 114, the Commission may impose one or more of the following sanctions:
- (a) issue a replacement Gaming Licence or Client Provider Authorization, incorporating the amended conditions, to the Licence holder or Authorized Client Provider;
 - (b) suspend or revoke the existing Gaming Licence or Client Provider Authorization;
 - (c) impose a fine on the Licence holder or Authorized Client Provider of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
- Amend or issue replacement* 116. On receiving the Interactive Gaming Licence or Client Provider Authorization, the Commission will:
- (a) amend the Interactive Gaming Licence or Client Provider Authorization in an appropriate way and return the amended licence or authorization to the Licence holder or Authorized Client Provider; or
 - (b) if the Commission does not consider it is practical to amend Gaming Licence or Client Provider Authorization, issue a replacement Gaming Licence or Client Provider Authorization, incorporating the amended conditions, to the Licence holder or Authorized Client Provider.
- Effective date* 117. An amendment takes effect on the date set by the Commission.

PART XIV: SUSPENSIONS AND REVOCATIONS

*Grounds for suspending or
revoking a licence or
authorization*

118. The Commission may suspend or revoke an Interactive Gaming Licence, Client Provider Authorization or Key Person Licence, on one or more of the following grounds:

- (a) the Licence holder or Authorized Client Provider no longer has, in the Commission's sole discretion, a good business reputation or sound current financial position;
- (b) one or more of the persons that own, control or are key persons of Licence holder or Authorized Client Provider are no longer, in the Commission's sole discretion, suitable;
- (c) in the case of a Key Person Licence, the person is no longer, in the Commission's sole discretion, suitable;
- (d) the Authorized Client Provider is no longer the owner or licensee of a control system that is, in the Commission's sole discretion, suitable for the purpose of conducting interactive gaming;
- (e) the Licence holder or Authorized Client Provider has breached a provision of the Law or these Regulations;
- (f) the Licence holder or Authorized Client Provider has failed or refused to pay a fine imposed by the Commission in accordance with a provision of these Regulations;
- (g) the Licence holder or Authorized Client Provider has been convicted of an indictable offence, felony or other crime the Commission, in its sole discretion, results in the Licence holder or Authorized Client Provider no longer being suitable to hold an Interactive Gaming Licence or Client Provider Authorization;
- (h) the Licence holder or Authorized Client Provider has contravened a term or condition of its licence or authorization or has failed to pay any fee that the Licence holder or Authorized Client Provider is required to pay under these Regulations or as directed by the Commission;
- (i) the Authorized Client Provider has failed to discharge financial commitments to players or in relation to other aspects of the Authorized Client Provider's operations or the Commission has reason to believe that such failure is imminent;
- (j) the Licence holder or Authorized Client Provider is insolvent, has been petitioned into bankruptcy or has applied to take advantage of any bankruptcy law;
- (k) the Licence holder or Authorized Client Provider has a trustee, receiver, manager, liquidator or administrator appointed for it under the provisions of the laws of any jurisdiction;
- (l) the Licence holder or Authorized Client Provider applies for, or is compelled by any means or for any reason, for a discontinuance or winding-up;
- (m) the licence or authorization was obtained by a materially false or misleading representation or in some other improper way; or
- (n) any other ground that the Commission, in its sole discretion, determines is material and sufficient for the purposes of this section.

Failure to comply with

119. If the Commission directs the Licence holder, Authorized Client Provider

direction to rectify

or key person to rectify a matter and the Licence holder, Authorized Client Provider or key person fails to comply with the direction within the time allowed for compliance, the Commission may, subject to the provisions of these Regulations, revoke the Interactive Gaming Licence, Client Provider Authorization or Key Person Licence or suspend the licence or authorization for such period of time and on such conditions for re-instatement as the Commission deems appropriate.

PART XV: SHOW CAUSE PROCEDURES

- Show cause notice* 120. Before amending, suspending or revoking an Interactive Gaming Licence, Client Provider Authorization or Key Person Licence, the Commission must give the holder a written notice (a “show cause notice”) that:
- (a) states the action (the “proposed action”) the Commission proposes taking;
 - (b) states the grounds for the proposed action;
 - (c) outlines the facts and circumstances forming the basis for the grounds;
 - (d) if the proposed action is suspension, states the proposed suspension period; and
 - (e) permits the affected person or persons to show within a stated period (the “show cause period”) why the proposed action should not be taken.
- Show cause period* 121. The show cause period will be established by the Commission and will be specified in the show cause notice. The Commission will determine the length of the show cause period which must, in no event, be less than thirty (30) days or longer than ninety (90) days from the date on which it is issued.
- Service of show cause notice* 122. The Commission must promptly serve a copy of the show cause notice on:
- (a) each person (an “interested person”) the Commission believes has an interest in the Interactive Gaming Licence, Client Provider Authorization or Key Person Licence, if the Commission considers:
 - (i) the person’s interest may be affected adversely by the amendment, suspension or cancellation of the licence or authorization; and
 - (ii) it is otherwise appropriate in the circumstances to give copy of the notice to the person.
- Written representations* 123. A person upon whom a copy of the show cause notice is served may, within the show cause period, make written representations about the matters raised in the notice to the Commission.
- Accepted representations* 124. The Commission will consider all written representations (the “accepted representations”) made during the show cause period by:
- (a) the affected Licence holder, Authorized Client Provider or key

- person; or
- (b) any interested person upon whom a copy of the show cause notice is served.
- Immediate suspension or revocation* 125. Notwithstanding any other provision of these Regulations, the Commission may amend, suspend or revoke an Interactive Gaming Licence, Client Provider Authorization or Key Person Licence immediately and without the necessity of a show cause period, if the Commission believes:
- (a) a sufficient ground exists to amend, suspend or revoke the licence or authorization, and
- (b) the circumstances are so extraordinary that it is imperative to amend, suspend or revoke the licence immediately to ensure:
- (i) the public interest is not affected in an adverse and material way; or
- (ii) the integrity of the conduct of interactive games by the Licence holder or Authorized Client Provider is not jeopardized in a material way.
- Service* 126. An immediate amendment, suspension or revocation:
- (a) must be effected by written notice served on the affected holder (the “notice or immediate amendment, suspension or revocation”), and any interested person;
- (b) is effective from the moment the notice is served;
- (c) continues in effect until a hearing date or until the Commission otherwise directs;
- (d) will specify a show cause period.
- Voluntary suspension or termination of licence or authorization* 127. Notwithstanding any other provision of these Regulations, a Licence holder, authorized client provide or key person may voluntarily suspend or terminate his, her or its own licence or authorization by giving at least thirty (30) days written prior notice to the Commission.
- Conditions regarding voluntary suspensions or terminations* 128. A voluntary suspension of a licence or authorization:
- (a) is not effective unless accepted in writing by the Commission;
- (b) does not suspend, interrupt or negate the requirement to pay annual fees for that licence or authorization; and
- (c) unless the Commission otherwise directs, does not relieve the Licence holder, Authorized Client Provider or key person from any other obligations under the Law or these Regulations.
- Requirements before equipment and data can be removed* 129. In the event a Client Provider Authorization is revoked by the Commission or voluntarily terminated by the Authorized Client Provider, the Authorized Client Provider must not remove any equipment or data from the Territory until it has:
- (a) satisfied all of its obligations to the Commission, including the payment of fees;
- (b) provided evidence, satisfactory to the Commission, that the Authorized Client Provider has satisfied its obligations to players, the Licence holder and Approved Agents.

- Notice* 130. When the requirements of section 129 have been fulfilled, the Commission will provide the Authorized Client Provider and the Licence holder with written notice confirming that the Authorized Client Provider may remove its equipment and data from the Territory.

PART XVI: HEARINGS

- Request for hearing* 131. A Licence holder, Authorized Client Provider or key person who has received a show cause notice or notice of immediate amendment, suspension or revocation, may, within the show cause period, request a hearing before the Commission to respond to the matters raised in the show cause notice.
- Hearing notice* 132. Upon receiving a request for a hearing, the Commission will set a time and place for the hearing and will immediately notify the Licence holder, Authorized Client Provider or key person in writing (the “hearing notice”) of time and place of the hearing.
- Written and oral evidence* 133. At the hearing, the Licence holder, Authorized Client Provider or key person will have the opportunity to bring written and oral evidence to respond to the matters raised in the show cause notice.
- Additional rules for hearing procedures* 134. The Commission may issue additional rules to govern the procedures to be followed at a hearing, in lieu of which, proceedings will follow accepted rules of fairness and natural justice.
- Failure to attend hearing* 135. In the event the affected Licence holder, Authorized Client Provider or key person fails or refuses to attend a hearing at the time and place set out in the hearing notice, the Commission may, in its sole discretion, take one or more of the following actions:
- (a) adjourn the hearing to another time and/or place;
 - (b) confirm and/or continue the amendment, suspension or revocation;
 - (c) impose a fine on the affected Licence holder, Authorized Client Provider or key person of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars;
 - (d) issue such other directives as the Commission deems necessary.
- Decision* 136. If, after considering the accepted representations, or in the case of a hearing, the evidence adduced before it, if any, the Commission finds that:
- (a) a ground or grounds exist to amend, suspend or revoke the Interactive Gaming Licence, Client Provider Authorization or Key Person Licence; or
 - (b) the act, omission or other matter constituting the ground is of a serious and fundamental nature and either:
 - (i) the integrity of the conduct of interactive games by the Licence holder or Authorized Client Provider may be jeopardized in a material way;

- (ii) the public interest may be affected in an adverse or material way;
- (iii) the credibility or reputation of the Commission, the Territory of any person or entity within the Territory is, or may be, negatively affected:

the Commission may amend or revoke the Interactive Gaming Licence, Client Provider Authorization or Key Person Licence or suspend the licence or authorization for such period of time and on such conditions of re-instatement as the Commission deems appropriate.

- Notice of decision* 137. The Commission must promptly serve written notice of the decision to amend, suspend or revoke a licence or authorization, with reasons for the decision, on the affected holder.
- Effective date* 138. A decision to amend, suspend or revoke a Licence takes effect on the date and time specified by the Commission.
- Reconsideration of suspension* 139. If a licence or authorization is under suspension, the Commission may, at the request of the Licence holder, Authorized Client Provider or key person, reconsider the duration of the suspension and will promptly inform the affected holder in writing of its decision.

Part XVII: APPROVED AGENTS

- Appointment of Approved Agents* 140. The Commission may appoint one or more Approved Agents to carry out any of the following functions, for and on behalf of the Commission:
- (a) to investigate whether any person applying for or holding a licence or authorization is a suitable person for the purposes of these Regulations and submit a report of its findings to the Commission;
 - (b) to conduct control system reviews and ensure that any person applying for or holding any licence or authorization in the Territory has the necessary level of technical competence, and submit a report of its findings to the Commission;
 - (c) to assist in the application of a continuous compliance program, and submit reports of its findings to the Commission.
- Approved Agent criteria* 141. The Commission may appoint a person as an Approved Agent if it considers that the person has the necessary expertise and is otherwise suitable in consideration of the person's knowledge, skills, training, reputation, character, business reputation, current financial position and financial background.
- Investigative program* 142. The Commission may approve an investigative program in order to verify at any time whether a person is suitable to be an Approved Agent.
- Scope of authority* 143. An Approved Agent will be subject to the directives of the Commission and may not act outside of the scope of authority contained in those directives.
- Term* 144. The Commission may appoint a person as Approved Agent for a period of time not to exceed two years, but such appointment may be renewed an unlimited number of times.

PART XVIII: CONTROL SYSTEMS

- Control system submission* 145. A control system submission must be in the form, and contain the information required by, Schedule “I”.
- Approved control system* 146. An Authorized Client Provider may conduct, or continue to conduct, an authorized game only if:
- (a) the Authorized Client Provider is the owner or licensee of a control system that has been approved by the Commission; and
 - (b) the authorized game is conducted using the approved control system.
- Technical standards* 147. The Commission may approve such technical standards, the provisions of which are compatible with the Law and these Regulations, as are necessary to assist in assessing a control system submission and a control system change submission.
- Approved technical standards* 148. Without limiting the generality of the foregoing section 147, the Commission will approve the following technical standards:
- (a) Internet Random Number Generator Requirements;
 - (b) Internet Report Requirements;
 - (c) Internet Network Infrastructure and Computer Systems Requirements;
 - (d) Internet Wagering Application Requirements;
 - (e) Internet System Integrity Requirements; and
 - (f) Internet Games, General Requirements.
- Material change to approved control system* 149. An Authorized Client Provider may make a material change to an approved control system only:
- (a) if directed by, or with the approval of, the Commission; and
 - (b) in the way directed or approved by the Commission.
- Failure to report material change* 150. Failure to report a material change of an approved control system to the Commission as required by this Part may result in one or more of the following sanctions:
- (a) the immediate amendment, suspension or revocation of the Client Provider Authorization to which the change relates;
 - (b) for each material change that was not reported, a fine of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
- Control system change submission* 151. An Authorized Client Provider must make a submission (a “control system change submission”) to the Commission for approval for a material change to the Authorized Client Provider’s approved control system.
- Requirements for control system change submission* 152. A control system change submission must be made in writing:
- (a) at least ninety (90) days before the Authorized Client Provider proposes to start conducting authorized games under the

- approved control system as proposed to be changed; or
- (b) if the Commission, in its sole discretion, deems it appropriate, at a later date to be determined by the Commission.
- Particulars* 153. A control system change submission must contain particulars of the proposed material changes of the Authorized Client Provider's approved control system.
- Decision* 154. The Commission will, with the assistance of its Approved Agents, consider a control system submission or control system change submission and will, within a reasonable period of time:
- (a) approve the proposed control system or proposed change of the approved control system;
- (b) refuse to approve the proposed control system or proposed change of the approved control system; or
- (c) request such additional information as the Commission may require to either approve or disapprove the submission.
- Notice of decision* 155. The Commission must promptly serve the Authorized Client Provider with a written notice of the Commission's decision to approve or to refuse to approve a control system submission or control system change submission.
- Reasons for refusal to approve* 156. If the Commission refuses to approve a submission under this Part, it must provide written notice stating the reasons for the decision and, if the Commission believes the submission can be rectified to enable the Commission to give an approval, the notice must also:
- (a) explain how the submission may be changed; and
- (b) invite the Authorized Client Provider to resubmit the submission after making the appropriate changes.
- Direction to change control system* 157. The Commission may, by written notice, direct the Authorized Client Provider to change its approved control system within the time, and in the manner stated in the notice and the Authorized Client Provider must comply with the direction within thirty (30) days of the date on which the notice is received or such other period of time as the Commission may specify.
- Failure to comply* 158. If the Authorized Client Provider fails or refuses to comply with the Commission's direction made pursuant to the foregoing section 157, the approval for the Authorized Client Provider's control system will be terminated and its Client Provider Authorization may be suspended or revoked.

PART XIX: CONTINUOUS COMPLIANCE PROGRAM

- Continuous compliance program* 159. All Authorized Client Providers will be subject to a continuous compliance program, pursuant to which Approved Agents will on a regular basis assess and report to the Commission whether:
- (a) the control system utilized by the Authorized Client Provider:
- (i) is functioning in accordance with the standards against

which the control system was measured at the time it was first approved;

(ii) has not been materially changed from the time it was first approved, unless such material change has also been approved;

(b) there are any indications of money-laundering, fraud or collusion in relation to the Authorized Client Provider's operations;

(c) the Authorized Client Provider is meeting its obligations to players in a timely manner;

(d) the Authorized Client Provider's live output of authorized games is fair and random.

Design and implementation of the program

160. The design and implementation of a continuous compliance program for an Authorized Client Provider will take into consideration:

(a) the features of the control system owned or licensed by the Authorized Client Provider;

(b) the volume and quality of data available for the time period in question;

(c) whether the Authorized Client Provider is subject to other independent auditing or monitoring programs;

(d) whether the Authorized Client Provider is a publicly traded company.

Commission to approve

161. The Commission will discuss with an Authorized Client Provider the design and implementation of a suitable continuous compliance program, and any changes that may be required to the program from time to time. However, the Commission will, in its sole discretion, approve the continuous compliance program that will apply to an Authorized Client Provider and the Authorized Client Provider must comply with the approved program.

Confidentiality of information

162. All information obtained by an Approved Agent or the Commission as the result of a continuous compliance program will be held in the strictest confidence and will be destroyed five years after the date on which it is obtained.

PART XX: ANTI-MONEY LAUNDERING

Rules and procedures

163. The Commission will establish specific rules and procedures for Authorized Client Providers for the purpose of anticipating and preventing suspicious activities whereby monies obtained by illegal means are used for the purpose of interactive gaming.

Currency Transaction Reports

164. Authorized Client Providers will be required to file with the Commission a Currency Transaction Report ("CTR"), in a form to be provided by the Commission, for all currency transactions exceeding Ten Thousand (\$10,000.00) Dollars. Multiple currency transactions by or on behalf of one person during a twenty four (24) hour period will be considered a single transaction.

- Suspicious Activity Report* 165. Authorized Client Providers will be required to file with the Commission, a Suspicious Activity Report (“SAR”), in a form to be provided by the Commission, if the Authorized Client Provider has reason to believe or suspects that an individual or group of individuals have been involved in one or more transactions totaling more than Five Thousand (\$5,000) Dollars that:
- (a) involve or may involve funds derived from illegal activity or that are or may be intended to conceal funds derived from illegal activity;
 - (b) are or may be intended to avoid or prevent the filing of a CTR;
 - (c) have no apparent business or other lawful purpose;
 - (d) are not the type normally expected from that particular player; or
 - (e) involve the use of the Authorized Client Provider’s operations to facilitate criminal activity.
- FATF recommendations* 166. Authorized Client Providers will comply with the recommendations of the Financial Action Task Force (“FATF”) as they pertain to gaming establishments.
- Cooperation with other agencies* 167. The Commission will cooperate with and, when appropriate, provide information concerning actual or potential money-laundering activities of which it becomes aware, to the Kahnawá:ke Peacekeepers and/or such other domestic or international agency or agencies that are appropriate.

PART XXI: PLAYER PROTECTION

- Minimum age requirement for operations* 168. An Authorized Client Provider must not allow anyone under the full age of eighteen (18) years to participate in operations related to the conduct of authorized games.
- Minimum age requirement for players* 169. An Authorized Client Provider must take all reasonable and available measures to ensure that anyone under the full age of eighteen (18) years does not participate as a player in an authorized game. An Authorized Client Provider that wilfully or carelessly allows a person under the full age of eighteen (18) years to participate as a player in an authorized game commits a breach of these Regulations and may have its Client Provider Authorization suspended or revoked and is subject to the imposition of a fine for each instance of such breach, of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
- Systems to prevent underage players* 170. As part of its control systems, an Authorized Client Provider is responsible for establishing effective systems to ensure players under the full age of eighteen (18) years do not participate in interactive gaming or interactive gaming activities that are under the Authorized Client Provider’s control.
- Direction* 171. In the event the Commission is not satisfied with the systems established by an Authorized Client Provider in accordance with section 170, the Commission may direct the Authorized Client Provider to modify its systems or to implement new systems.
- Money returned to underage* 172. A Authorized Client Provider must return any money paid in respect of

	<i>player</i>		the use of its services by a player under the full age of eighteen (18) years as soon as is reasonably practicable.
<i>Forfeiture of prizes won by underage player</i>	173.		A prize won by a player under the full age of eighteen (18) years by participation in an authorized game contrary to section 169, is forfeited to the Commission.
<i>No obscene names</i>	174.		A person must not participate in an authorized game under a name or designation that is obscene, indecent or offensive.
<i>Refuse to register</i>	175.		An Authorized Client Provider may refuse to register a person as a player in an authorized game under a name that is obscene, indecent or offensive.
<i>Player Registration</i>	176.		Authorized Client Providers may only register a person as a player on receipt of an application for registration in a form approved by the Commission as part of a control system submission.
<i>Terms of agreements with players</i>	177.		Account opening documents must: <ul style="list-style-type: none"> (a) clearly establish a legally enforceable contractual relationship between the Authorized Client Provider and the player; and (b) not include any terms that are unfair or unreasonable to the player.
<i>One account per website</i>	178.		A player is limited to one player account for any website operated by an Authorized Client Provider.
<i>Player Accounts</i>	179.		A player's account must be established in a manner that allows a player only to: <ul style="list-style-type: none"> (a) have direct access to funds in that account; (b) use some or all of the funds in that account to play an authorized game offered by the Authorized Client Provider; (c) obtain the balance of funds in that account and close the account; or (d) obtain the whole or part of the amount paid into that account as a prize in an authorized game or as authorized by the Authorized Client Provider or the Commission.
<i>Adequate funds in account</i>	180.		An Authorized Client Provider must not accept a bet or wager from a player in an authorized game unless a player's account has been established in the name of the player and there are adequate funds in the account to cover the amount of the bet or wager.
<i>Rules of play</i>	181.		An Authorized Client Provider's website must display hyperlinks to full and complete rules of the authorized games being offered.
<i>Rules posted in English</i>	182.		Rules must be posted in the English language and any other language the Authorized Client Provider deems appropriate.
<i>Compliance with rules of play</i>	183.		A player who participates in an authorized game must comply with rules of play posted on the website of the Authorized Client Provider.
<i>Remittance of funds</i>	184.		An Authorized Client Provider must, at the request of a player in whose name a player's account is established, remit the funds standing to the credit of the account to the player, not later than five working days, if practicable, after receipt of the request.

- Segregation of accounts* 185. An Authorized Client Provider will keep player's funds separately from the Authorized Client Provider's own funds in accounts held with an accredited financial institution.
- Payment methods* 186. The Licence holder will not accept cash from a player and funds may be received from the player only by any of the following methods:
- (a) credit cards;
 - (b) debit cards or stored value accounts;
 - (c) electronic transfer;
 - (d) wire transfer;
 - (e) cheques;
 - (f) any other method approved by the Commission.
- No credit* 187. An Authorized Client Provider must not provide credit to a player or a player's account or act as agent for a credit provider to facilitate the provision of credit to a player or a player's account.
- No recourse to player funds* 188. An Authorized Client Provider must not have recourse to funds in a player's account except as follows:
- (a) to debit to the account, a wager made by the player or an amount the player indicates the player wants to wager in the course of an authorized game the player is playing or is about to play;
 - (b) to remit funds standing to the credit of the account to the player at the player's request;
 - (c) as otherwise authorized under these Regulations.
- Dormant player accounts* 189. An Authorized Client Provider must have a written policy (the "dormant player account policy") which describes the process that will be used to clear dormant player accounts and the process that will be followed when a player requests a withdrawal from a dormant account that has been cleared.
190. The dormant player account policy must be included in terms and conditions that are posted on the Authorized Client Provider's site.
191. An Authorized Client Provider must maintain a complete and accurate record for all dormant player accounts that have been cleared. Any request from a player for a withdrawal from a dormant account that has been cleared will be addressed and resolved in accordance with the provisions of the dormant player account policy.
- Confidentiality of player information* 192. An Authorized Client Provider or an employee or other person engaged in duties related to the conduct of an authorized game must not, without authorization under the following section:
- (a) disclose information about the name, or other identifying particulars, of a player; or
 - (b) use information about a player for a purpose other than the purpose for which the information was given.
- Authorization for disclosure of information* 193. The disclosure of information, or its use for a purpose other than the purpose for which it was given, is authorized if the disclosure or use is:

authorized by the player;

- (a) reasonably necessary for the conduct of authorized games; or
- (b) required for the administration or enforcement of the Law or these Regulations.

- Interrupted games* 194. An Authorized Client Provider must take all reasonable steps to ensure that the Authorized Client Provider's approved control system enables a player whose participation in an authorized casino game is, after he or she has made a bet or wager, interrupted by a failure of the Authorized Client Provider's system, a failure of the player's computer or for any other reason that prevents the player from continuing the authorized game, to resume, on the restoration of the system or computer, his or her participation in the authorized game, that was interrupted, as at the time immediately before the interruption without loss or penalty.
- Procedure if interrupted game cannot be continued* 195. If an Authorized Client Provider's system does not enable a player to continue, after the restoration of the system or computer, with an authorized casino game interrupted by a failure of the Authorized Client Provider's system, the player's computer or for any other reason, without loss or penalty the Authorized Client Provider will:
- (a) ensure that the game is terminated;
 - (b) refund the amount of the wager to the player by placing it in the player's account;
 - (c) immediately inform the Commission of the incident;
 - (d) refrain from conducting further authorized games if such games are likely to be similarly affected.

PART XXII: COMPLAINTS AND DISPUTE RESOLUTION

- Complaints and dispute resolution process* 196. All Authorized Client Providers must make adequate provision for receiving and addressing any complaints, including the provision of an appropriate dispute resolution process. The dispute resolution process must include an opportunity for the complainant to have recourse to the Commission or to the *Kahnawá:ke Communal Arbitration Procedure*.
- Records of complaints* 197. All Authorized Client Providers must maintain adequate records of all complaints and disputes it receives and such records must be provided to the Commission in a timely fashion.
- Commission's logo must be displayed* 198. The Commission's logo must be prominently displayed on the Authorized Client Provider's website, hyper-linked to the Commission's email address, with a notification that complaints may be addressed directly to the Commission.
- Complaints to Commission* 199. Any person who is not satisfied with the manner in which his or her complaint has been addressed by an Authorized Client Provider, or who prefers to make his or her complaint directly to the Commission, may submit the complaint to the Commission or have the matter addressed and resolved through the *Kahnawá:ke Communal Arbitration Procedure*.
- Kahnawá:ke Communal Arbitration Procedure* 200. In the event a person elects to have his or her complaint addressed and resolved through the *Kahnawá:ke Communal Arbitration Procedure*.

- (a) both the complainant and the relevant Authorized Client Provider must participate fully and in good faith in the processes set out in the *Kahnawá:ke Communal Arbitration Procedure*;
 - (b) the resolution that is reached by through the *Kahnawá:ke Communal Arbitration Procedure* is final and binding on both the parties and the Commission; and
 - (c) the Commission will not inquire into, hear or otherwise make any decision in relation to the complaint.
- Result of proceeding* 201. The Commission is entitled to receive written notice from one or both of the parties to a proceeding under the *Kahnawá:ke Communal Arbitration Procedure*, of the result of such proceeding.
- Form of complaints* 202. A complaint must be in writing and must contain clear and unequivocal information about the complainant's identity, and provide all the relevant details that gave rise to the complaint and the steps that were taken to address the complaint with the Authorized Client Provider.
- Investigations* 203. As soon as practicable after a complaint is received, the Commission will inquire into the substance of the complaint and will undertake such investigations as may be required under the circumstances.
- Details of complaints* 204. Unless the Commission in its sole discretion directs otherwise, the details of all complaints, including the identity of the complainant, will be provided to the Authorized Client Provider against which the complaint is made for response.
- Response to complaint* 205. The Authorized Client Provider must provide to the Commission a full and detailed response to the complaint within seven (7) days, or such other time as the Commission may direct.
- Additional information* 206. To assist in the resolution of a complaint, the Commission may request additional information from the complainant, the Authorized Client Provider or any third person, including an Approved Agent.
- Decision* 207. After its investigations of a complaint are complete, the Commission will:
- (a) dismiss the complaint as unfounded;
 - (b) uphold the complaint in whole or in part;
 - (c) direct a Authorized Client Provider to take any steps the Commission may, in its sole discretion, deem necessary to resolve the complaint;
 - (d) direct a Authorized Client Provider to pay the costs incurred by the Commission in its investigation of the complaint; or
 - (e) issue any other directions or take any other steps as the Commission, in its sole discretion, deem appropriate under the circumstances.
- Vexatious complaints* 208. Notwithstanding any of provision of this Part, the Commission may dismiss a complaint without an inquiry or investigation if the Commission, in its sole discretion, is satisfied that a complaint is on its face vexatious, unfounded or does not fall within the Commission's scope of authority.

PART XXIII: PRIZES

- Crediting amount of the prize* 209. If a player in an authorized game conducted by an Authorized Client Provider wins a monetary prize, the Authorized Client Provider must immediately credit the amount of the prize to the player.
- Non-monetary prizes* 210. If a player in an authorized game conducted by an Authorized Client Provider wins a non-monetary prize the Authorized Client Provider must:
- (a) have the prize delivered personally or by certified mail to the player; or
 - (b) give the player written notice of an address in the Territory at which the prize may be collected.
- Non-collection of non-monetary prizes* 211. In the event a non-monetary prize in an authorized game conducted by an Authorized Client Provider is not capable of being delivered or is not collected within three months after notification of the place at which it may be collected, the Authorized Client Provider:
- (a) may dispose of the prize by public auction or tender or in some other way approved by the Commission;
 - (b) may pay for the disposal from the proceeds of sale; and
 - (c) must:
 - (i) pay the remainder of the proceeds into the relevant player's account;
 - (ii) if there is no current player's account, remit the remainder of the proceeds to the former player; or
 - (iii) if there is no current player's account and the Authorized Client Provider is unaware of the whereabouts of the former player, pay the remainder of the proceeds into an account established by the Commission and designated as the account to which payments are to be made under this subparagraph.
- Claim for prize* 212. If a claim for a prize in an authorized game is made to an Authorized Client Provider within three years after the end of the game, the Authorized Client Provider must:
- (a) immediately try to resolve the claim; and
 - (b) if the Authorized Client Provider is not able to resolve the claim, by written notice (a "claim result notice") given to the claimant, promptly inform the claimant:
 - (i) of the Authorized Client Provider's decision on the claim; and
 - (ii) that the claimant may, within thirty (30) days of receiving the notice, ask the Commission to review the decision.
- Commission may resolve* 213. If the claim is not resolved, the claimant may ask the Commission to review the Authorized Client Provider's decision on the claim, or if the claimant has not received a claim result notice, to resolve the claim.

- Request to Commission* 214. A request to the Commission under the foregoing section:
- (a) must be in the approved form; and
 - (b) if the claimant received a claim result notice, must be made within thirty (30) days after receiving the notice.
- Investigation and decision* 215. If a request is made to the Commission, the Commission must carry out such investigations the Commission considers necessary to resolve matters in dispute and render a decision in writing to the claimant and the affected Authorized Client Provider.
- Unclaimed prizes* 216. If a prize is not claimed within three years after the end of the authorized game in which the prize was won, the entitlement to the prize is extinguished and the prize is forfeited to the Commission to deal with as it sees fit.
- Withholding prize* 217. If an Authorized Client Provider has reason to believe that the result of an authorized game has been affected by an illegal activity or malfunction of equipment, the Authorized Client Provider may withhold a prize in the game.
- Notice to player* 218. If an Authorized Client Provider withholds a prize under the foregoing section 217, the authorized client provider must immediately give written notice to the player in question, with a copy to the Commission, that the prize is being withheld and the reasons for the withholding.
- Notice to Commission* 219. If an Authorized Client Provider withholds a prize under the foregoing section 217, the Authorized Client Provider:
- (a) must immediately give written notice to the Commission of the circumstances of the incident; and
 - (b) must not conduct a further game if a recurrence of the illegality or malfunction is likely.
- Direction* 220. After investigating the incident, the Commission may, by written notice to the Authorized Client Provider and the player in question:
- (a) direct the Authorized Client Provider to pay the prize; or
 - (b) confirm the Authorized Client Provider's decision to withhold the prize, but direct the Authorized Client Provider to refund amounts bet or wagered in the game and the Authorized Client Provider must comply with the direction.

PART XXIV: RESPONSIBLE GAMING

- Limiting bets or wagers* 221. A registered player may set their own deposit limits per day, week and month.
- Limit set to zero* 222. To prevent himself or herself from engaging in authorized games conducted by an Authorized Client Provider, the player may set the limit at zero.
- Changing limits* 223. A player who has set a limit under this section may change or revoke the limit, however a minimum waiting period of twenty-four (24) hours will apply to increases in deposit limits previously set.
- Cooling off period* 224. A notice increasing or revoking the player's limit set at zero will not have effect until six (6) months from the date on which the Authorized Client

- Provider received notice from the player setting a zero limit on his or her deposits.
- Effective upon receipt* 225. A notice reducing the limit has effect upon its receipt by the Authorized Client Provider.
- Prohibition* 226. An Authorized Client Provider must not accept a deposit from a player contrary to a limit set for the player under this Part.
- Application to Commission* 227. An application may be made to the Commission in the approved form for an order:
- (a) prohibiting a person from participating in authorized games; or
 - (b) revoking an order under paragraph (a).
- Applicants* 228. An application may only be made under this section by:
- (a) a person who seeks a prohibition or the revocation of a prohibition against himself or herself; or
 - (b) a person who satisfies the Commission of a close personal interest in the welfare of the person against whom the prohibition is sought.
- Notice of application* 229. If the application is made by a person other than the person against whom the prohibition is sought or has been imposed (the “affected person”), the Commission must:
- (a) give the affected person written notice of the application and the reasons for it; and
 - (b) invite the affected person to make representations to the Commission about the application within a reasonable time stated in the notice.
- Representations* 230. The Commission must consider representations from the applicant, and if the applicant is not the affected person, the affected person.
- Order* 231. If the Commission is satisfied the order sought in the application should be made in the interests of the affected person and the public interest, the Commission may make the order.
- Notice and service* 232. The Commission must:
- (a) serve written notice on the applicant and, if the affected person is not the applicant, the affected person:
 - (i) stating the Commission’s decision and the reasons for it, and
 - (ii) in the case of a written notice given to an applicant whose application has been refused, stating that the applicant may appeal against the decision to the Court of Kahnawá:ke; and
 - (iii) in the case of a written notice given to a person who is not the applicant but is affected by an order made on the application, stating that the affected person may appeal against the decision to the Court of Kahnawá:ke or other court of competent jurisdiction, and
 - (b) if an order is made on the application, serve copies of the order

on:

- (i) the affected person; and
- (ii) all Licence holders and Authorized Client Providers within the Territory.

- Prohibition* 233. An Authorized Client Provider to whom a copy of an order imposing a prohibition has been given must not accept a bet or wager from a person, or allow a person to participate in any other way in an authorized game, contrary to the prohibition in the order.
- Gaming Addiction Research and Education Fund* 234. The Commission may establish and maintain at a financial institution in or near the Territory, a fund (the “Gaming Addiction Research and Education Fund”) to be used for the purpose of researching and educating the public about the risks associated with gaming and gaming addictions, and about available treatment programs.
- Administration of funds* 235. The Commission will determine the types of programs and services to be funded by the Gaming Addiction Research and Education Fund.
- No reimbursement* 236. The funds held in the Gaming Addiction Research and Education Fund will not be used to reimburse players for monies they may have lost through gaming activities.
- Monies in Gaming Addiction Research and Education Fund* 237. The Gaming Addiction Fund will consist of contributions from Licence holders and Authorized Client Providers and such other monies received by the Commission which the Commission, in its sole discretion, may designate for the purpose.
- Incentive programs* 238. The Commission may establish incentive programs to encourage Licence holders and Authorized Client Providers to contribute to the Gaming Addiction Research and Education Fund.
- Warning of addiction must be displayed* 239. An Authorized Client Provider must display at all times, in a prominent place, on the home page of its website, a warning of the risks associated with gaming and information and links to other websites assisting compulsive gamblers.

PART XXV: RECORDS AND REPORTS

- Notice regarding gaming records* 240. The Commission may, by written notice given to a an Authorized Client Provider:
- (a) approve a place (the “approved place”) nominated by the Authorized Client Provider as a place for keeping the Authorized Client Provider’s gaming records;
 - (b) specify a gaming record of the Authorized Client Provider (an “exempt gaming record”) that is not required to be kept at the approved place;
 - (c) specify a gaming record of the Authorized Client Provider that may be kept temporarily at a place other than the approved place, and the period for which, or the circumstances in which, the record may be kept at the other place;
 - (d) approve the keeping of information contained in a gaming record in a way different from the way the information was kept when

- the record was being used by the Authorized Client Provider; or
- (e) approve the destruction of a gaming record the Commission considers need not be kept.
- Exempt gaming record* 241. A gaming record mentioned in subsection 240(c) is also an “exempt gaming record”:
- (a) for the period stated in the notice; or
- (b) while the circumstances stated in the notice exist.
- Limitation* 242. The Commission may specify a gaming record for subsection 240(b) only if the Commission considers there is sufficient reason for the record to be kept at a place other than the approved place.
- Gaming records kept for 5 years* 243. Unless the information previously contained in the gaming record is kept in another way under an approval of the Commission, an Authorized Client Provider must keep a gaming record for five years after the end of the transaction to which the record relates.
- Exemption* 244. The foregoing section 243 does not apply to a gaming record that has been destroyed under an approval of the Commission.
- Accounting records* 245. An Authorized Client Provider must:
- (a) keep accounting records that correctly record and explain the transactions and financial position for the Authorized Client Provider’s operations conducted under the Client Provider Authorization;
- (b) keep the accounting records in a way that allows:
- (i) true and fair financial statements and accounts to be prepared from time to time; and
- (ii) the financial statements and accounts to be conveniently and properly audited; and
- (c) upon request, provide to the Commission a copy of the accounting records.
- Financial statements* 246. An Authorized Client Provider must prepare financial statements and accounting records, as required by this Part, giving a true and fair view of the Authorized Client Provider’s financial operations conducted under the Client Provider Authorization.
- Content of financial statements and accounting records* 247. The financial statements and accounting records must include the following:
- (a) trading accounts, if applicable, for each financial year;
- (b) profit and loss accounts for each financial year; and
- (c) a balance sheet as at the end of each financial year.
- Other records and reports* 248. A Licence holder or Authorized Client Provider must give any other records and reports to the Commission about the Licence holder or Authorized Client Provider’s operations, as the Commission may request in writing from time to time, for the purposes of these Regulations.
- Timing and form of reports* 249. The reports referred to in the foregoing section 248 must be given at the times stated in a written notice given to the Licence holder or Authorized Client Provider by the Commission and must be in a form approved by

the Commission.

- Further information* 250. The Commission may, by written notice given to a Licence holder or Authorized Client Provider, require the Licence holder or Authorized Client Provider to give the Commission further information about a report within the time stated in the notice to help the Commission acquire a proper appreciation of the Licence holder's or Authorized Client Provider's operations and the Licence holder or Authorized Client Provider must comply with the requirement within the time stated in the notice.
- No false, misleading or incomplete reports* 251. A Licence holder and an Authorized Client Provider must not give the Commission a report containing information, or further information about a report, the Licence holder or Authorized Client Provider knows to be false, misleading or incomplete in a material way.

PART XXVI: ADVERTISING

- Prohibition* 252. No person may advertise itself as an Authorized Client Provider or that it is licensed or regulated by the Commission, if the person does not hold a valid Client Provider Authorization.
- Prohibition* 253. An Authorized Client Providers must not advertise an interactive game unless the game is an authorized game.
- Prohibition* 254. A person must not advertise an authorized game in the Territory without approval of the relevant Authorized Client Provider.
- Advertising not indecent or offensive* 255. An Authorized Client Provider must ensure that any advertisement or form of marketing it authorizes or that is conducted on its behalf:
- (a) is not indecent or offensive;
 - (b) is based on fact; and
 - (c) is not false, deceptive or misleading in a material way.
- Commission decides* 256. The Commission will, in its sole discretion, determine whether an advertisement or form of marketing contravenes any of the requirements in the foregoing section 255.
- Direction to stop* 257. If the Commission determines that an advertisement or form of marketing does not comply with the foregoing section 255, the Commission may direct the Authorized Client Provider or person responsible for authorizing the advertisement or form of marketing to take the appropriate steps to stop or to change the advertisement or form of marketing.
- Form of direction* 258. The direction must:
- (a) be in writing;
 - (b) state the grounds for the direction; and
 - (c) if it is a direction to change the advertisement or form of marketing, state how the advertisement or form of marketing is to be changed;
- and the person to whom a direction is given must comply with the

direction.

PART XXVII: OFFENCES

- Dishonestly obtaining benefit* 259. A person must not, in relation to an authorized game, dishonestly obtain a benefit by any act, practice or scheme or otherwise dishonestly obtain a benefit through the use of any device, equipment or software.
- "Benefit"* 260. For the purposes of the foregoing section 259, a person obtains a benefit if the person obtains for themselves or another person, or induces a person to deliver, give or credit to the person or another person, any money, benefit, advantage, valuable consideration or security.
- Forging gaming record* 261. A person must not, directly or indirectly:
- (a) forge or alter a gaming record; or
 - (b) knowingly use or attempt to use a forged or altered gaming record.
- Impersonation* 262. A person must not impersonate an Authorized Client Provider, an Approved Agent or a member of the Commission or anyone acting in an official capacity under the Law or these Regulations.
- Receiving money for improper purpose* 263. Members of the Commission and anyone acting in an official capacity under the Law or these Regulations must not ask for, receive or obtain, or agree to receive or obtain, any money, property or benefit of any kind for himself or another person for an improper purpose.
- Offering money for improper purpose* 264. A person must not give, confer or obtain, or promise or offer to give, confer or obtain, any money, property or benefit of any kind to, on or for a member of the Commission and anyone acting in an official capacity under the Law or these Regulations for an improper purpose.
- "Improper purpose"* 265. For the purposes of the foregoing sections, "improper purpose" includes:
- (a) for the official to forego or neglect the official's functions under the Law or these Regulations;
 - (b) for the official to use, or take advantage of, the official's office improperly to gain a benefit or advantage for, or facilitate the commission of an offence against the Law or these Regulations; or
 - (c) to influence the official in the performance of the official's functions under the Law or these Regulations.
- No participation in game* 266. An employee, whether a key person or not, of an Authorized Client Provider must not take part in an authorized game if directly involved in functions related to the conduct of the game.
- Forfeiture* 267. Any prize won by a person by participation in an authorized game contrary to the provisions of this Part, is forfeited to the Commission.

- Duty to report* 268. In the event an Authorized Client Provider, Approved Agent or any other employee or agent of the Commission becomes aware, or reasonably suspects, that:
- (a) a person, by a dishonest or unlawful act affecting the conduct or playing of an authorized game, has obtained a benefit for the person or another person; or
 - (b) there has been an unlawful act affecting the conduct or playing of an authorized game;
- within twenty-four (24) hours of becoming aware of, or suspecting, the dishonest or unlawful act, the person who becomes aware must give the Commission a written notice advising the Commission of all facts known about the matter.
- False or misleading statement* 269. A person must not state anything to an Inspector the person knows to be false or misleading.
- False or misleading document* 270. A person must not give an Inspector a document containing information the person knows to be false, misleading or incomplete.
- Exemption* 271. Section 270 does not apply to a person if the person, when giving the document:
- (a) tells the Inspector, to the best of the person's ability, how it is false, misleading or incomplete; and
 - (b) if the person has, or can reasonably obtain, the correct information and gives the correct information.
- False entries* 272. A person must not make an entry in a document required or permitted to be made or kept under these Regulations knowing the entry to be false, misleading or incomplete.
- Obstruction* 273. A person must not obstruct an Inspector in the exercise of a power or someone helping an Inspector in the exercise of a power.

PART XXVIII: PENALTIES UPON CONVICTION FOR AN OFFENCE

- Penalties in addition to other sanctions* 274. The penalties set out in this Part are in addition to any other the Commission may impose under any other provision of these Regulations.
- Forfeiture on conviction* 275. On conviction of a person for an offence against these Regulations, a court may order the forfeiture to the Commission of:
- (a) anything used to commit the offence; or
 - (b) anything else which is the subject of the offence.
- Scope of Order* 276. A court may make the order:
- (a) whether or not the item has been seized; and
 - (b) if the item has been seized, whether or not the item has been returned to its owner.
- Enforcement* 277. A court may make any order to enforce the forfeiture it considers

appropriate.

- Dealing with forfeited items* 278. On the forfeiture of an item to the Commission, the item becomes the Commission's property and may be dealt with by the Commission as the Commission considers appropriate.
- Destruction or sale of forfeited items* 279. Without limiting the generality of the foregoing section, the Commission may destroy the forfeited item or sell the forfeited item at public auction...
- Indictable offences* 280. An offence against sections 259, 261, 262, 263 or 264 (dishonestly obtaining a benefit, forgery, impersonation or bribery) is an indictable offence and punishable as such.
- Summary conviction* 281. Any other offence against these Regulations is a summary conviction offence and punishable as such.
- Court of competent jurisdiction* 282. A proceeding for an indictable offence or a summary conviction offence under these Regulations may be heard at the Court of Kahnawá:ke or other court of competent jurisdiction.
- Business Entity committing an offence* 283. If a Business Entity commits an offence against a provision of these Regulations, each of the Business Entity's key persons and directors also commits an offence, namely, the offence of failing to ensure that the Business Entity complies with the provision.
- Evidence* 284. Evidence that the Business Entity has been convicted of an offence against a provision of these Regulations is evidence that each of the Business Entity's key persons and directors committed the offence of failing to ensure that the Business Entity complies with the provision.
- Defence* 285. It is a defence for a key person or director to prove:
- (a) if the key person or director was in a position to influence the conduct of the Business Entity in relation to the offence-the key person or director exercised reasonable diligence to ensure the corporation complied with the provision; or
 - (b) the key person or director was not in a position to influence the conduct of the Business Entity in relation to the offence.
- Attempts* 286. A person who attempts to commit an offence against the Law or these Regulations commits an offence.
- Fines* 287. Unless another fine is specifically provided, if the Commission, in its sole discretion determines a Licence holder, Authorized Client Provider, key person or Approved Agent has breached any provision of these Regulations, the Commission may impose a fine for each instance of such breach of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
- Payment of fines* 288. Unless the Commission otherwise directs, all fines imposed by the Commission in accordance with the foregoing section 287 must be to the Commission, in full, not more than thirty (30) days after the date on which the fine is imposed, failing which the Commission may impose such additional sanctions, including additional fines, as it sees fit.

PART XXIX: COMMISSION MEMBERS AND OFFICIALS

- No participation in games* 289. Members of the Commission and Officials must not take part in any authorized game.
- Prohibition* 290. Members of the Commission and Officials must not:
- (a) accept or solicit employment from a Licence holder, an Authorized Client Provider or an Approved Agent;
 - (b) be an employee in any capacity of a Licence holder, an Authorized Client Provider or an Approved Agent; or
 - (c) knowingly have, directly or indirectly, a business or financial association with a Licence holder, an Authorized Client Provider or an Approved Agent.
- Prohibition for one year* 291. A person must not, for one year after ceasing to be a member of the Commission or acting as an Official, without the Commission's approval:
- (a) accept or solicit employment from a Licence holder, an Authorized Client Provider or an Approved Agent;
 - (b) be an employee in any capacity of a Licence holder or an Authorized Client Provider or an Approved Agent; or
 - (c) knowingly have, directly or indirectly, a business or financial association with a Licence holder, an Authorized Client Provider or an Approved Agent.
- Conflict of interest* 292. In the event a member of the Commission or an Official knowingly has, directly or indirectly, a business or financial association or interest with another person who is an applicant for an Interactive Gaming Licence or Client Provider Authorization, immediately after the member of the Commission or Official becomes aware that the other person is an applicant for an Interactive Gaming Licence or Client Provider Authorization, the member or Official must give written notice of the Member or official's association or interest to the Commission and the Commission will by written notice given to the Member or official, direct the member or Official to end the association, or give up the interest, within the time stated in the notice. Failure to comply with such direction will result in the immediate termination of the member's position on the Commission or the Official's term of office or employment.
- No civil liability* 293. A member of the Commission and an Official is not civilly liable for an act done, or omission made, honestly and without negligence under these Regulations.

PART XXX: INSPECTORS

- Inspectors* 294. The following persons are Inspectors for the purposes of these Regulations:
- (a) a members of the Commission;
 - (b) a person holding an appointment as an Inspector under this Part (an "appointed Inspector");
 - (c) a person who holds an appointment as an Inspector under the law of a comparable jurisdiction and is authorized in writing by the Commission to act as an Inspector under these Regulations

(an "external Inspector").

- Qualifications for Appointment* 295. The Commission may appoint a person as an Inspector if:
- (a) the Commission considers that the person has the necessary expertise to be an Inspector and;
 - (b) the Commission considers the person to be suitable to be an Inspector in consideration of:
 - (i) the person's character; and
 - (ii) the person's current financial position and financial background.
- Investigation of Inspectors* 296. The Kahnawá:ke Peacekeepers may investigate a person to help the Commission decide whether the person is suitable to be an Inspector.
- Program for investigating Inspectors* 297. The Commission may approve a program for investigating appointed Inspectors at any time in order to verify whether or not the person is suitable to be an Inspector.
- Criminal Record Reports for Investigation* 298. If the Commission conducts an investigation with regard to an appointment of a person as an Inspector or the verification of an appointed Inspector, the Commission may request a criminal background check to be provided by the Kahnawá:ke Peacekeepers or such other agency as the Commission may deem to be appropriate.
- Powers of Inspectors* 299. An Inspector has the powers given under these Regulations.
- Directives* 300. An Inspector is subject to the directives of the Commission in exercising those powers.
- Limit on powers* 301. An Inspector's powers may be limited:
- (a) as a condition of the Inspector's appointment; or
 - (b) by written notice given by the Commission to the Inspector.
- Identification cards* 302. The Commission must issue each Inspector an identification card which:
- (a) includes a recent photograph of the Inspector;
 - (b) is signed by the Inspector and a Member of the Commission;
 - (c) includes an expiry date;
 - (d) identifies the person as an Inspector under these Regulations.
- Return of identification card* 303. A person who ceases to be an Inspector must return the person's identification card to the Commission as soon as practical, but no later than fifteen (15) days after the date on which he or she ceased to be an Inspector.
- Production of identification card* 304. An Inspector may exercise a power in relation to someone else only if the Inspector either produces the Inspector's identification card for the other person's inspection or has the identification card displayed so it is clearly visible to the other person.
- Production of identification card after the fact* 305. If for any reason it is not practical to comply with the foregoing section before exercising the power, the Inspector must produce the identification card for the other person's inspection at the first reasonable opportunity.

PART XXXI: POWERS OF AN INSPECTOR

- The power to enter places without consent or warrant* 306. An Inspector may, without the consent of the occupier of a premises or a warrant issued by a court of competent jurisdiction enter:
- (a) a public place;
 - (b) a place where an authorized game is being, or is about to be conducted; or
 - (c) a place where a Licence holder, an Authorized Client Provider or an Approved Agent carries on business at any time when the place is open for carrying on business or otherwise open for entry.
- Entry with consent or warrant* 307. Unless an Inspector is authorized to enter a place under the foregoing section, an Inspector may enter a place only if its occupier consents to the entry or if the entry is authorized by a warrant issued by the Court of Kahnawá:ke or other competent authority.
- Consents and warrants for entry* 308. This section applies if an Inspector intends to ask an occupier of a place to consent to the Inspector or another Inspector entering the place. Before asking for the consent, the Inspector must tell the occupier:
- (a) the purpose of the entry; and
 - (b) that the occupier is not required to consent.
- Consent Acknowledgement* 309. If the consent is given, the Inspector may ask the occupier to sign an acknowledgement of the consent (the "Consent Acknowledgment").
- Content of Consent Acknowledgement* 310. The Consent Acknowledgement must state that the occupier has been told:
- (a) the purpose of the entry;
 - (b) that the occupier is not required to consent;
 - (c) the occupier gives the Inspector consent to enter the place and exercise powers under this Part; and
 - (d) the time and date consent was given.
- Must give copy* 311. If the occupier signs the Consent Acknowledgement, the Inspector must promptly give a copy to the occupier and to the Commission.
- Application for a warrant* 312. An Inspector may apply to the Court of Kahnawá:ke or other competent authority for a warrant. The application must be sworn and state the grounds on which the warrant is sought.
- Issuance of a warrant* 313. The Court of Kahnawá:ke or other competent authority may issue a warrant only if it is satisfied there are reasonable grounds for suspecting:
- (a) there is a particular item or activity that may provide evidence of an offence against the Law, these Regulations or other law applicable within the Territory; and
 - (b) the evidence is at the place or may be at the place within the next seven (7) days.

- Content o warrant* 314. The warrant must state:
- (a) that an Inspector may with necessary and reasonable help and force enter the place and exercise the Inspector's powers under this Part and;
 - (b) the offence for which the warrant is sought;
 - (c) the evidence that may be seized under the warrant;
 - (d) the hours of the day or night when the place may be entered; and
 - (e) the date, within fourteen (14) days after the warrant's issue, the warrant ends.
- General powers of Inspectors after entering places* 315. For monitoring or enforcing compliance with the Law or these Regulations or any other law applicable within the Territory, the Inspector may:
- (a) search any part of the place;
 - (b) inspect, measure, test, photograph or film any part of the place or anything at the place;
 - (c) take an item, or a sample of or from an item, at the place for analysis or testing;
 - (d) copy a document at the place;
 - (e) access, electronically or in some other way, a system used at the place for conducting an authorized game or other interactive game or for administrative purposes related to the conduct of an authorized game or other interactive game;
 - (f) take into or onto the place any person, equipment and materials the Inspector reasonably requires for exercising a power under this Part;
 - (g) require the occupier of the place, or a person at the place, to give the Inspector reasonable help to exercise the Inspector's powers under paragraphs (a) to (f); or
 - (h) require the occupier of the place, or a person at the place, to give the Inspector information to help the Inspector ascertain whether the Law, these Regulations or any other law applicable within the Territory is being complied with.
- Failure to help Inspector* 316. When making a requirement mentioned in subsection 315(g) or (h), the Inspector must warn the person it is an offence to fail to comply with the requirement.
- Seizing documents or Items at places that may be entered without consent or warrant* 317. An Inspector who enters places that may be entered under this Part without the consent of the occupier and without a warrant, may seize documents or items at the places if the Inspector reasonably believes the documents or items are evidence of an offence against the Law, these Regulations or any law applicable within the Territory.
- Seizing documents or items at places that may only be entered with consent or warrant* 318. If the Inspector enters the place with the occupier's consent, the Inspector may seize any document or item at the place if:
- (a) the Inspector reasonably believes the document or item is evidence of an offence against the Law, these Regulations or

- any law applicable within the Territory; and
- (b) seizure of the document or item is consistent with the purpose of entry as told to the occupier when asking for the occupier's consent.
- Seizure of documents or items in warrant* 319. If the Inspector enters the place with a warrant, the Inspector may seize the documents or items for which the warrant was issued.
- Seizure of other documents or items* 320. The Inspector may also seize any other documents or items at the place if the Inspector reasonably believes:
- (a) the documents or items relate to an offence against the Law, these Regulations or any law applicable within the Territory; and
- (b) the seizure is necessary to prevent the documents or items being:
- (i) hidden, lost or destroyed; or
- (ii) used to continue, or repeat, the offence.
- Grounds for seizure* 321. The Inspector may seize documents or items at the place if the Inspector reasonably believes they are being, have been, or are about to be, used in committing an offence against the Law, these Regulations or any law applicable within the Territory.
- Securing documents or items after seizure* 322. Having seized documents or items, an Inspector may:
- (a) move the documents or items from the place where they were seized (the "place of seizure") to a secure location under the exclusive control of the Commission; or
- (b) leave the documents or items at the place of seizure but take reasonable action to restrict access to them.
- Tampering with documents or items subject to seizure* 323. If an Inspector restricts access to documents or items subject to seizure, a person must not tamper, or attempt to tamper with the documents or items, or any means used to restrict access to the documents or items, without an Inspector's approval.
- Powers to support seizure* 324. To enable documents or items to be seized, an Inspector may require the person in control of them:
- (a) to take them to a stated reasonable place by a stated reasonable time; and
- (b) if necessary, to remain in control of them at the stated place for a reasonable time.
- Form of requirement* 325. The requirement:
- (a) must be made by notice in the approved form; or
- (b) if for any reason it is not practical to give the notice, may be made orally and confirmed by notice in the approved form as soon as practical.
- Further requirement* 326. A further requirement may be made under this section about the same documents or items if it is necessary and reasonable to make the further requirement.
- Receipts to be given on seizure* 327. As soon as practical after an Inspector seizes documents or items, the Inspector must give a receipt for them to the person from whom they

		were seized.
<i>Receipt in conspicuous place</i>	328.	However, if for any reason it is not practical to comply with the foregoing section, the Inspector must leave the receipt at the place of seizure in a conspicuous position and in a reasonably secure way.
<i>Description in receipt</i>	329.	The receipt must describe generally each document or item seized and its condition.
<i>Exemption</i>	330.	This section does not apply to documents or items if it is impractical or would be unreasonable to give the receipt, given the nature, condition and value of the documents or items.
<i>Forfeiture</i>	331.	Documents or items that have been seized under this Part are forfeited to the Commission if the Inspector who seized the documents or items: <ul style="list-style-type: none"> (a) cannot find their owner, after making reasonable inquiries; (b) cannot return them to their owner, after making reasonable efforts; or (c) reasonably believes it is necessary to retain the documents or items to prevent them from being used to commit an offence against the Law, these Regulations or any law applicable within the Territory.
<i>Exemptions</i>	332.	In applying the foregoing section: <ul style="list-style-type: none"> (a) subsection 331(a) does not require the Inspector to make inquiries if it would be unreasonable to make inquiries to find the owner; and (b) subsection 331(b) does not require the Inspector to make efforts if it would be unreasonable to make efforts to return the documents or items to their owner.
<i>Notice regarding forfeiture</i>	333.	If the Inspector decides to forfeit documents or items under section 331, the Inspector must tell the owner of the decision by written notice.
<i>Exemption</i>	334.	The foregoing section 333 does not apply if: <ul style="list-style-type: none"> (a) the Inspector cannot find the owner, after making reasonable inquiries; or (b) it is impractical or would be unreasonable to give the notice.
<i>Content of notice of forfeiture</i>	335.	The notice must state: <ul style="list-style-type: none"> (a) the reasons for the decision; (b) that the owner may appeal against the decision to the Commission within thirty (30) days; (c) how the appeal may be made; and (d) that the owner may apply for a stay of the decision if the owner appeals against the decision.
<i>Considerations</i>	336.	In deciding whether inquiries or efforts are to be made or notice given about a document or item, the document or item's nature, condition and value must be considered.
<i>Return of documents or items that have been seized</i>	337.	If documents or items have been seized but not forfeited, the Inspector must return them to their owner:

- (a) at the end of six (6) months; or
 - (b) if a proceeding for an offence involving the documents or items is started within six (6) months, at the end of the proceeding or any appeal from the proceeding.
- Access to documents or items* 338. A document or item must be returned to its owner once the Inspector determines its evidentiary value has ceased.
- Inspection of documents or items* 339. Until documents or items that have been seized are forfeited or returned, an Inspector must allow their owner to inspect them and, if it is a document, to copy it unless it is impractical or would be unreasonable to allow the inspection or copying.
- Application* 340. The sections the follow apply if an Inspector reasonably believes:
- (a) an item used in the conduct of an authorized game is unsatisfactory for the purpose for which it is used; and
 - (b) the continued use of the item may:
 - (i) jeopardize the integrity of the conduct of authorized games; or
 - (ii) adversely affect the public interest.
- Direction to stop using an item* 341. The Inspector may direct the person who has, or reasonably appears to have, authority to exercise control over the item to stop using the item, or allowing the item to be used, in the conduct of authorized games.
- Requirements for stop directions* 342. A direction given to a person under the foregoing section (a "Stop Direction") may be given orally or by written notice (a "Stop Notice").
- Stop Notice* 343. If the direction is given orally, it must be confirmed by written notice (also a "Stop Notice") given to the person as soon as practical.
- Application of Stop Direction* 344. A Stop Direction may be given for an item at a place occupied by a Licence holder, an Authorized Client Provider, an Approved Agent or other person involved within the Territory in the conduct of an authorized game.
- Non-application* 345. A Stop Direction does not apply to a use of an item carried out for repairing or testing the item.
- Content of Stop Notice* 346. A Stop Notice must state:
- (a) the grounds on which the Inspector believes the item is unsatisfactory; and
 - (b) the circumstances, if any, under which the Stop Direction may be cancelled.
- Compliance* 347. A person to whom a Stop Direction is given must comply with the direction.
- Power to obtain information* 348. The following sections apply if:
- (a) an Inspector finds a person committing an offence against the Law, these Regulations or any law applicable within the Territory; or
 - (b) an Inspector finds a person in circumstances that lead, or has information that leads, the Inspector reasonably to suspect the person has just committed an offence against the Law, these

Regulations or any law applicable within the Territory.

- Name and address* 349. The Inspector may require the person to state the person's name and residential address.
- Offence* 350. When making the requirement, the Inspector must warn the person that it is an offence to fail to state the person's name or residential address.
- Evidence of correctness* 351. The Inspector may require the person to give evidence of the correctness of the stated name or residential address if the Inspector reasonably suspects the stated name or address to be false.
- Compliance* 352. A person of whom a requirement is made under the foregoing section must comply with the requirement.
- Power to require production of documents* 353. An Inspector may require (a "Document Production Requirement") a person to produce or make available for inspection by the Inspector at a reasonable time and place nominated by the Inspector:
- (a) a document issued to the person under the Law, these Regulations or any law applicable within the Territory;
 - (b) a document required to be kept by the person under the Law, these Regulations or any law applicable within the Territory; or
 - (c) a document kept by an Authorized Client Provider about the conduct of authorized games by the Authorized Client Provider.
- Retaining original of document* 354. The Inspector may retain the original of the document or, in his sole discretion, copy it and return the original to the owner of the document.
- Certify document as true copy* 355. If the Inspector copies the document, or an entry in the document, the Inspector may require the person responsible for keeping the document to certify the copy as a true copy of the document or entry.
- Power to require attendance of persons* 356. An Inspector may require a person, or an executive officer of a corporation, of whom a Document Production Requirement has been made to appear before the Inspector to answer questions or give information about the document to which the Document Production Requirement relates.
- Persons who must appear and answer questions* 357. An Inspector may require any of the following persons to appear before the Inspector to answer questions or give information about the operations of a Licence holder or Authorized Client Provider:
- (a) the Licence holder or Authorized Client Provider or, if the Licence holder or Authorized Client Provider is a corporation, an executive officer of the Licence holder or Authorized Client Provider;
 - (b) an employee of the Licence holder or Authorized Client Provider;
 - (c) an agent for the Licence holder or Authorized Client Provider or, if the agent is a corporation, an executive officer of the corporation;
 - (d) an employee of an agent mentioned in paragraph (c);
 - (e) another person associated with the operations or management of:
 - (i) the Licence holder or Authorized Client Provider; or

- (ii) an agent mentioned in paragraph (c).
- Content of requirement* 358. A requirement made of a person under this section must:
 - (a) be made by written notice given to the person; and
 - (b) state a reasonable time and place for the person's attendance.
- Offence* 359. When making the requirement, the Inspector must warn the person that it is an offence to fail to comply with the requirement.
- Failure to comply with requirement about attendance* 360. A person of whom a requirement is made under this Part must not:
 - (a) fail to appear before the Inspector at the time and place stated in the notice imposing the requirement; or
 - (b) when appearing before the Inspector:
 - (i) fail to comply with a requirement to answer a question or give information; or
 - (ii) state anything the person knows to be false or misleading.

PART XXXII: GENERAL MATTERS

- Decisions not subject to appeal or review* 361. Except as otherwise provided in these Regulations, a decision of the Commission made, or appearing to be made, under the Law or these Regulations about an Interactive Gaming Licence, a Client Provider Authorization, a Key Person Licence or a person with an interest or potential interest in an Interactive Gaming Licence, Client Provider Authorization or Key Person Licence, including but not limited to the granting, amending, suspending or revoking of a licence or authorization:
 - (a) is final and conclusive;
 - (b) cannot be challenged, appealed against, reviewed, quashed, set aside, or called in question in another way; and
 - (c) is not subject to any writ or order of any court, a tribunal or another entity on any ground.
- Service* 362. Service of any notice provided for in these Regulations may be affected by personal service, registered mail, facsimile transmission or email to the Licence holder, Authorized Client Provider or their agent. Except as otherwise provided in these Regulations, other than for personal service, service is effective from the moment the notice is sent. Personal service is effective from the moment the notice is received by the Licence holder or Authorized Client Provider.
- Confidentiality of Information* 363. A person who is, or was, a member of the Commission, an Official, an Inspector, employee or agent of the Commission, must not disclose information gained by the person in performing functions under these Regulations.

- Exemption* 364. The foregoing section does not apply to the disclosure of information by a person:
- (a) for a purpose under the Law, these Regulations or any other law applicable within the Territory;
 - (b) with a lawful excuse; or
 - (c) pursuant to an approval of the Commission.
- US Dollars* 365. All amounts referred to in these Regulations are calculated and payable in US Dollars.
- Forms* 366. The Commission may approve forms for use under these Regulations.
- Schedules* 367. The Schedules referenced herein are an integral part of these Regulations.
- Amendments* 368. These Regulations may be amended at any time by resolution of the Commission.

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