

# SECOND SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4858 GIBRALTAR Thursday 27th May 2021

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LEGAL NOTICE NO. 278 OF 2021

## GAMBLING ACT 2005

### GAMBLING (DUTIES AND LICENSING FEES) (AMENDMENT) REGULATIONS 2021

In exercise of the powers conferred upon him by section 41(1) of the Gambling Act 2005, the Minister with responsibility for gambling has made the following Regulations—

#### **Title.**

1. These Regulations may be cited as the Gambling (Duties and Licensing Fees) (Amendment) Regulations 2021.

#### **Commencement.**

2. These Regulations come into operation on the day of publication.

#### **Amendment of the Gambling (Duties and Licensing Fees) Regulations 2018.**

3.(1) The Gambling (Duties and Licensing Fees) Regulations 2018 are amended in accordance with this regulation.

(2) After regulation 6 insert—

#### **“Fees for the issue of duplicate licence certificate or agreement.**

6A. In the event that a licence holder requests from the Licensing Authority a duplicate of—

- (a) a certificate issued in respect of a licence granted in accordance with section 3(1) of the Act; or
- (b) an agreement with the Licensing Authority which relates to a licence issued in accordance with section 3(1) of the Act,

the licence holder must pay a fee in accordance with Schedule 3.

**Fees for notice of material change.**

6B. In the event that a licence holder submits a notice of material change to the Licensing Authority in accordance with his obligations under paragraph 4 of Schedule 1 to the Act, the licence holder must pay a fee in accordance with Schedule 4 (including the notes to that Schedule).

**Supplementary fee in case of investigation by the Gambling Commissioner.**

6C.(1) The Gambling Commissioner may, in exceptional circumstances and with the consent of the Minister, require a licence holder to pay a supplementary fee in connection with any investigation into the licence holder's affairs where—

- (a) the Gambling Commissioner has engaged external experts in order to assist with an investigation conducted in accordance with his powers under section 6(6) of the Act; or
- (b) a person has been appointed under section 42(1) of the Act.

(2) A supplementary fee must be limited to the direct costs incurred by the Gambling Commissioner for the assistance provided by the persons referred to in subregulation (1).

(3) A supplementary fee is due and payable on the date specified in the invoice issued to the licence holder by the Gambling Commissioner.”.

(3) After Schedule 2 insert—

**“Schedule 3**

<i>Document Type</i>	<i>Fee</i>
Duplicate Licence	£25
Duplicate Agreement	£25

**Schedule 4**

<i>Notice of Material Change</i>	<i>B2C Fee or fee range</i>	<i>B2B Fee or fee range</i>
Complex Material Change (including multi -jurisdictional considerations)	£30,000	£20,000
Moderately complex Material Change	£10,000 to £15,000	£7,000 to £10,000
Straightforward Material Change	£5,000 to £7,500	£3,000 to £5,000

The complexity of notices will be assessed by the Licensing Authority on a case by case basis, depending on the nature and level of effort required by the Licensing Authority to determine the notice. Unless the Licensing Authority has agreed otherwise, notices which require complexity assessment must be accompanied by the minimum fee for straightforward notices. Following that assessment, the Licensing Authority will advise the licence holder whether the balance of the fee for moderately complex or complex notices must be paid. In that event, the balance must be paid before the notice is regarded as complete.”

Dated 27<sup>th</sup> May 2021.

A J ISOLA,  
Minister with responsibility for Gambling.

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### **EXPLANATORY MEMORANDUM**

These Regulations amend the Gambling (Duties and Licensing Fees) Regulations 2018 in order to make provision for the charging of fees relating to duplicate licences or agreements, assessments of notices of material change and for expert assistance with investigations.