



INSTRUCTION (No. 4) TO LICENSEES AND CERTIFICATE HOLDERS

Suspicious Transaction Reporting and requests for consent.

This Instruction is made under Section 22(3)(b) of the Alderney eGambling Ordinance, 2009.

1. Background

The introduction of the Gambling (Licensing and Advertising) Act, 2014 in the United Kingdom has created some uncertainty as to where eGambling licensees and certificate holders holding both Alderney and United Kingdom licences should submit suspicious transaction reports.

2. Discussion

eGambling licensees and certificate holders are aware of their obligations under Section 7 of Schedule 16 to the Alderney eGambling Regulations, 2009 with regards to their obligation to report suspicious activity under the Terrorism and Crime (Bailiwick of Guernsey), Law 2002 and the Disclosure (Bailiwick of Guernsey) Law, 2007 to the Guernsey Financial Intelligence Service regardless of the location of the registered customer as the activity relates to activities taking place on Alderney.

Holders of licences issued by the United Kingdom Gambling Commission will be aware of their obligations to report suspicious activity relating to registered customers to the National Crime Agency or other such body designated in UK legislation.

Where an eGambling licensee or certificate holder has suspicions about a registered customer located in the United Kingdom it should lodge a suspicious transaction report with both the Guernsey Financial Intelligence Service and the relevant agency in the United Kingdom.

A query has been raised about which agency would have responsibility in the event that a consent request is made.

3. Requests for consent

Where a request for consent is necessary in addition to the suspicious transaction report the licensee or certificate holder should identify where the funds the request for consent relates to are held. In the event that the funds are located within the Bailiwick of Guernsey the request for consent should be made to the Guernsey Financial Intelligence Service. If the funds are located in the United Kingdom the AGCC understands the request for consent should be made to the relevant United Kingdom agency.

If an eGambling licensee or certificate holder has specific queries about suspicious activity they should contact the Guernsey Financial Intelligence Service or or relevant authority in the United Kingdom.

19th November, 2014