

The Alderney eGambling (Amendment) (No.2) Ordinance, 2018

THE STATES OF ALDERNEY, in pursuance of their Resolution of the 12th September, 2018 and in exercise of the powers conferred on them by sections 6 and 10(3) of the Gambling (Alderney) Law, 1999^a and section 46 of the Government of Alderney Law, 2004^b, hereby order:-

Amendment of the 2009 Ordinance.

1. (1) The Alderney eGambling Ordinance, 2009^c is amended as follows.

(2) In section 1(3) –

- (a) insert "or" at the end of paragraph (a),
- (b) delete paragraph (ab),
- (c) for "A Category 1 eGambling licensee or Category 1 associate certificate holder" substitute "An eGambling licensee, Category 1 associate certificate holder or

^a Ordres en Conseil Vol. XIV, p. 374; as amended by Order in Council No. I of 2000; No. XXVII of 2001; Ordinance No. XVI of 2003; and No. VII of 2006.

^b Order in Council No. III of 2005; as amended by No. XXII of 2010; No. XI of 2012; No. V of 2014; and Ordinance No. IX of 2016.

^c Alderney Ordinance No. X of 2009; as amended by Alderney Ordinance No. XIII of 2010; No. IX of 2013; No. XV of 2014; No. I of 2015 and No. I of 2018.

Category 2 associate certificate holder", and

- (d) for "the eGambling licensee's or Category 1 associate certificate holder's" substitute "the eGambling licensee's, Category 1 associate certificate holder's or Category 2 associate certificate holder's".

(3) In the definition of "gambling business associate" in section 30(1) –

- (a) in paragraph (a)(ii), delete "or",
- (b) in paragraph (a)(iii), for "and" substitute "or", and
- (c) immediately after paragraph (a)(iii), insert –
 - "(iv) Category 2 eGambling licensee or a Category 2 associate certificate holder, in any arrangement whereby the business associate effects the gambling transaction on behalf of the Category 2 eGambling licensee or Category 2 associate certificate holder, and".

Amendment of the eGambling Regulations.

2. (1) The Alderney eGambling Regulations, 2009^d are amended as

^d A.S.I. No. 1 of 2010; A.S.I. No 5 of 2010; A.S.I. No 6 of 2010; A.S.I. No. 3 of 2011; A.S.I. No. 4 of 2012; A.S.I. No. 2 of 2013; A.S.I. No. 3 of 2013; A.S.I. No. 5 of 2013; A.S.I. No. 4 of 2014; A.S.I. No. I of 2015; A.S.I. No. 3 of 2015; A.S.I. No. II of 2018.

follows.

(2) In paragraph 1.10 of Section 1 of Schedule 11, for "or Category 1 associate certificate" substitute ", Category 1 associate certificate or Category 2 associate certificate".

(3) In Schedules 20 and 22, including in the headings of both Schedules, for "ASSOCIATE CATEGORY 1 CERTIFICATE HOLDER'S" substitute "CATEGORY 1 ASSOCIATE CERTIFICATE HOLDER'S".

Interpretation.

3. (1) In this Ordinance -

"**enactment**" includes a Law, an Ordinance and any subordinate legislation and includes any provision or portion of a Law, an Ordinance or any subordinate legislation, and

"**subordinate legislation**" means any regulation, rule, order, rule of court, resolution, scheme, byelaw or other instrument made under any statutory, customary or inherent power and having legislative effect, but does not include an Ordinance.

(2) The Interpretation (Guernsey) Law, 1948^e applies to the interpretation of this Ordinance.

(3) Any reference in this Ordinance to an enactment is a reference

^e Ordres en Conseil Vol. XIII, p. 355.

thereto as from time to time amended, re-enacted (with or without modification), extended or applied.

Citation and commencement.

4. This Ordinance may be cited as the Alderney eGambling (Amendment) (No. 2) Ordinance, 2018, and shall come into force on the date it is made by the States of Alderney.