

Legal Notice No.

REPUBLIC OF TRINIDAD AND TOBAGO

THE GAMBLING (GAMING AND BETTING) CONTROL ACT, 2021

**THE GAMBLING (GAMING AND BETTING) CONTROL (LICENSING)
REGULATIONS, 2024**

	PART I PRELIMINARY
Citation	1. These Regulations may be cited as the Gambling (Gaming and Betting) Control (Licensing) Regulations, 2024.
Interpretation	2. In these Regulations-
Act No. 8 of 2021	“Act” means the Gambling (Gaming and Betting) Control Act,2021;
	PART II TRANSITIONAL LICENSING
Notification of licensees	3. When notifying the Commission of its existence and operations, all existing persons who own or operate an establishment under the Liquor Licences Act Chap 84:10, Registration of Clubs Act Chap 21:01 or the Gambling and Betting Act 11:19 shall provide the Commission in writing: (a) Full contact details; (b) The address or addresses of all gambling venues, clubs, shops or establishments where gambling is permitted under the relevant licence; (c) A copy of the relevant licence; (d) A statement of all persons in key positions with regard to the gambling activity, or an organisation chart, if applicable; (e) A schedule of all persons who under the terms of any lease or contract, or any arrangement, receive or are entitled to receive any share of profits from the conduct of the gambling activity; and

	<p>(f) Records of the payment of all taxes with respect to the gambling activity over the last year</p> <p>(g) And any other requirements of the Commission</p>
Notification of Gaming Devices and Amusement Devices	<p>4. (1) When notifying the Commission of its existence and operations, a licensee under the Liquor Licenses Act or the Registration of Clubs Act, shall provide a record of the following information where relevant with respect to any gaming machines, whether operative or not, including amusement machines, and any associated gaming equipment, under the custody or control of the licensee in keeping with Section 53 of the Act:</p> <p>(a) Information—</p> <p>(i) device name;</p> <p>(ii) device type;</p> <p>(iii) device identification number;</p> <p>(iv) device serial number;</p> <p>(v) hardware vendor name;</p> <p>(vi) software vendor name;</p> <p>(vii) date imported;</p> <p>(viii) date installed;</p> <p>(ix) date tested;</p> <p>(x) payout ratio; and</p> <p>(xi) location of machine.</p> <p>(b) revenue Information per device—</p> <p>(i) device type;</p> <p>(ii) payout ratio (percentage);</p> <p>(iii) summary of device turnover (handle), payout, and take (handle minus payout) for the past twelve months;</p> <p>(2) To provide a list of any use agreements governing the machines, under which a machine is leased, bailed or placed in the establishment for a share of profits, which shall indicate the other party to that Agreement-</p> <p>(a) its term;</p> <p>(b) the number of machines subject to the Agreement;</p>

	<p>(c) the name, manufacturer, model and serial number of those machines; and</p> <p>(d) the share of profits to which the party is entitled.</p>
Notifications for Betting	<p>5. (1) When notifying the Commission of its existence and operations, in keeping with Section 60 of the Act, and a person licensed under the Gambling and Betting Act, who owns or operates a-</p> <p>(a) betting shop or other premises where betting activities are carried.</p> <p>(i) provide a description of all methods used to accept bets, including where appropriate, telephone or internet betting, and a description of the system used to record those bets; and</p> <p>(ii) indicate whether the bets are accepted at the licensee's risk, or whether the licensee is acting as an agent for another provider, or betting is accepted on a pool/pari-mutuel basis.</p> <p>(b) gambling device used to facilitate betting activities shall provide information as follows:</p> <p>i. device name;</p> <p>ii. device type;</p> <p>iii. device identification number;</p> <p>iv. device serial number;</p> <p>v. hardware vendor name;</p> <p>vi. software vendor name;</p> <p>vii. date imported;</p> <p>viii. date installed;</p> <p>ix. date tested; and</p> <p>x. location of device.</p> <p>(2) a summary of the betting device turnover (handle), payout, and take (handle minus payout) for the past twelve months.</p> <p>(3) A schedule of any agreements governing the betting machines, under which the machine is leased, bailed or placed in the establishment for a share of profits, which shall indicate the other party to that agreement, its term, the number of machines subject to the agreement, and the name,</p>

	<p>manufacturer, model and serial number of those machines, and the share of profits to which the party is entitled.</p>
	<p style="text-align: center;">PART III LICENSING</p>
<p>Licensing-Liquor Licensing Chap.</p>	<p>6. (1) A licensee who is the holder of a liquor licence issued under the Liquor Licences Act shall notify the Commission of its existence in keeping with Section 53 of the Act, and the Licensee will be issued a Gaming Lounge Licence which entitles the holder of the liquor licence to operate up to a maximum of twenty amusement machines.</p> <p>(2) The annual renewal of a holder of a liquor licence issued under the Liquor Licences Act, is deemed to be an annual renewal of the Gaming Operator's Licence.</p> <p>(3) A person employed by the holder of a liquor licence in relation to the conduct of amusement gaming is not required to hold a Personal Licence.</p>
<p>Licensing- Associates and Persons of Influence</p>	<p>7. (1) An applicant for a Licence shall identify-</p> <p>(a) All persons who, under the terms of any lease or contract, or any formal or informal arrangement, receive or are entitled to receive any share of profits from the conduct of the gambling activity; and</p> <p>(b) Any other associates or persons relevant to the regulatory obligations of the licensee.</p> <p>(2)(a) For the purposes of this clause, a person is considered as having a position of influence or control if, as determined by the Commission, the person has the ability to influence or control the activities of the applicant or licensee or elect a majority of its board of directors, other than a bank or other licensed lending institution that holds a mortgage or other lien, or any other source of funds, acquired in the ordinary course of business.</p>

	<p>(b)The Commission may identify a person that holds a position or level of influence over or control in each applicant or licensee that is significant to the regulatory concerns and obligations of the Commission for the specified applicant or licensee.</p> <p>(3) Each person identified as a person with significant influence or control shall, if required by the Commission, submit a Personal History Disclosure Form contained in Schedule 1, and cooperate fully with any investigation conducted by or on behalf of the Commission.</p>
Investor	<p>8. (1) A business entity that qualifies as an investor shall submit a Business History Disclosure Form at Schedule 2 if the investor;</p> <p>(i) Submits a Business History Disclosure Form to the Commission within forty-five days after the investor individually or jointly with others cumulatively acquires, directly or indirectly, five per cent or more but less than twenty per cent of any class publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee;</p> <p>(ii) holds or controls the publicly traded securities issued by a corporate applicant, licensee in the ordinary course of business for investment purposes only; and</p> <p>(iii) does not exercise or intend to exercise influence or control over the affairs of the issuer of the publicly traded securities issued by a corporate applicant, licensee, parent or subsidiary company of an applicant or licensee or their affiliates.</p>
Applications	<p>9. (1) An Application for a: -</p> <ul style="list-style-type: none"> (a) Gaming Operator’s licence; (b) Gaming Owner’s Licence; (c) Betting Operator’s Licence; (d) Bookmaker’s Licence; (e) Promoter’s Licence; (f) Premises Licence;

	<p>(g) Gaming Machine Manufacture Licence;</p> <p>(h) Gaming Machine Operating Licence;</p> <p>(i) Gaming Machine Distributor Licence;</p> <p>(j) Technical Operator's Licence;</p> <p>(k) Gaming Lounge Licence, or</p> <p>(l) Personal Licence</p> <p>(m) Associates (if required by the Commission)</p>
Effect of application denied withdrawn or surrendered	<p>10. (a) If an application for a license is denied, the applicant may not reapply for a license within six months after the expiration of the right to appeal pursuant to section 50 of the Act, without the permission of the Commission.</p> <p>(b) If an application for a license is withdrawn or surrendered, the applicant may not reapply for a license within six months from the date of withdrawal is granted or the date of surrender without the permission of the Commission.</p>
Personal Licences	<p>11. The licensee shall submit an application for a renewal of a Personal Licence together with the renewal fee at least thirty calendar days preceding the expiration of the existing licence.</p>
Premises Licences	<p>12. (1) In consideration of any application for a Premises Licence, the Commission shall take into account: -</p> <p>(a) The suitability of the premises to which the application relates having regard to the size, layout and facilities of the premises;</p> <p>(b) The suitability of the premises to which the application relates having regard to the primary activity conducted at the premises;</p> <p>(c) The suitability of the location to which the application relates having regard to the population of the local area, the proximity of the premises to sensitive areas such as schools, shopping centres, other community congregation facilities, welfare agencies, banks and pawn brokers; and</p> <p>(d) The economic impact of the proposal including contribution to the community, employment creation and significance or reliance of the premises to or on tourism.</p> <p>(2) All applications for a Premises Licences shall be accompanied by</p>

	<p>statutory approvals from the following: -</p> <ul style="list-style-type: none"> (i) Town and Country Planning Division; (ii) Fire Services; (iii) Trinidad and Tobago Police Service; (iv) Environmental Management Agency; (v) Water and Sewage Authority; (vi) Municipal Corporations (vii) Regional Health Authorities; (viii) The Tobago House of Assembly (Tobago entities only); and (ix) Any other competent Authority as the Commission may direct. <p>(3) Gaming Lounges operating under the Liquor Licences Act shall be issued a Premises Licence, upon the payment of the registration/administration fee as prescribed by Schedule 3.</p> <p>(4) The holder of a Gaming Lounge Licence shall be exempt from the fees prescribed for a Premises Licence in accordance with Schedule 3.</p>
<p>Licences Not Property Death or Bankruptcy</p>	<p>13. (1) A licence granted by the Commission does not constitute property, shall not be subject to attachment, and shall not be alienable or transferable.</p> <p>(2) A licence granted by the Commission to a person shall not descend by the laws of testate or intestate devolution, shall cease upon the death of the licensee, provided that executors of any deceased licensee, and the trustee of any insolvent or bankrupt licensee, may continue the gambling business under order of the appropriate court and the approval of the Commission, and may exercise the privileges of the deceased or insolvent or bankrupt license, but no longer than six months after the death, bankruptcy or insolvency of the licensee. After the expiration of six months, a new licence is required for the continuation of the operations.</p>

	(3) Approval of the Commission to continue the gambling business may only be granted following the approval of a designated manager for the gambling location.
	PART IV FEES
Application Fees	14. An applicant for a licence issued by the Commission shall pay the following non-refundable application fees, as applicable, at the times of filing of the application, and as listed in Schedule 3.
Licensing Fees	15. The fees for the grant of a licence, pursuant to section 36 of the Act are listed in Schedule 3.
Renewal Fees	16. The application fees for seeking a variation to a license, lodged pursuant to section 43 of the Act, are listed in Schedule 3
Variation to Licence	17. The application fees for seeking a variation to a licence, pursuant to section 48 of the Act, are listed in Schedule 3
Fees for the Public Register	18. The Public Register of Gambling Licences held under section 51 of the Act, are listed in Schedule 3.
	PART V NON-PAYMENT OF TAXES
Penalty	<p>19. (1) In the absence of any other statutory provision, any overdue taxes due and payable under the Act shall incur a penalty/administrative fine at the rate of twelve per cent of the total outstanding amount of the tax payable until such time as full remittance is made.</p> <p>(2) Payment of overdue taxes does not preclude the Commission from taking any other action in respect of the licence as it thinks fit.</p> <p>(3) An overdue penalty/administrative fine caused by an error of a financial institution shall not be subject to the provisions of this regulation.</p>

day of ,2024

Minister of Finance