

SAINT CHRISTOPHER AND NEVIS

STATUTORY RULES AND ORDERS

No. 24 of 2022

Gaming (Control) (Amendment of Schedule) Order

In exercise of the powers granted under section 46 of the Gaming (Control) Act, No. 11 of 2021 the Minister of Finance makes the following Order:

[Published 22nd September 2022 – Official Gazette No. 56 of 2022]

1. SHORT TITLE.

This Order may be cited as the Gaming (Control) (Amendment of Schedule) Order, 2022.

2. AMENDMENT OF FIRST SCHEDULE.

The First Schedule is amended as follows:

(a) by replacing Form 3 as follows:

“ FORM 3

APPLICATION FORM

FOR REGISTRATION OF LOTTERY AGENT

Name of Applicant:

Name of Enterprise/Company:

Street Address of Enterprise:

.....

Tele No.: Fax No.:

Email:

..... of hereby applies for
(Applicant's name) (Enterprise/Company name)

Company No.: (if applicable)

Business Licence: ____ Yes ____ No

(Copy of the current Business Licence should be submitted with this application)

Agreement/Contract: ____ Yes ____ No

(Copy of the current Agreement/Contract should be submitted with this application)

Signature of Applicant: Date:

Additional documents:

- the names and addresses of senior management or supervisors
- Documents in the Second Schedule (Part B) of the Gaming Control Act”;

(b) by inserting immediately after Form 3, the following new Forms 4, 5 and 6:

“ Form 4

Application Form
GAMING CONTROL ACT

APPLICATION FOR GAMING LICENCE (SPORTS BETTING)

Name of Applicant:

Name of Enterprise:.....

Street Address of Enterprise:

.....

Tele No.: Fax No.:

Email:

.....ofhereby applies for
(Applicant's name) (Enterprise name)

A licence to operate a Sports Betting Establishment

at.....

Location

Signature of Applicant: Date:

*Every Application to be accompanied with documentation in the Second Schedule (Part A)
of the Gaming Control Act*

Form 5
Application Form
GAMING CONTROL ACT
APPLICATION FOR REGISTRATION OF SLOT OPERATOR

Name of Applicant:

Name of Enterprise/Company:

Street Address of Enterprise/Company:

.....

Tele No.: Fax No.:

Email:

..... of hereby applies for
 (Applicant's name) (Enterprise/Company name)

Company No.: (if applicable)

Business Licence: ____ Yes ____ No

(Copy of the current Business Licence should be submitted with this application)

Signature of Applicant: Date:

Every Application to be accompanied with documentation in the Second Schedule (Part B) of the Gaming Control Act".

Form 6
Application Form
GAMING CONTROL ACT
APPLICATION FOR REGISTRATION OF JUNKET OPERATOR

Name of Junket Operator:

Street Address of Junket Operator:

.....

Mailing Address of Junket Operator:

.....

Tele No.: Fax No.:

Email:

..... of hereby applies for
(Manager/Supervisor) (Name of Junket Operator)

registration as a junket operator.

Signature of Manager/Supervisor: Date:

Every Application to be accompanied by the list of Junket Representatives. The Junket Operator should also provide the documentation in the Second Schedule (Part B) of the Gaming Control Act for the Manager/Supervisor and Junket Representatives”.

3. AMENDMENT OF SECOND SCHEDULE.

The Gaming Control Act is amended in the Second Schedule paragraph 2, by inserting immediately after subparagraph (g) the following new subparagraph (i):

“ (i) two (2) certified/notarized government issued photo identification documents.

4. AMENDMENT OF THIRD SCHEDULE.

The Gaming (Control) Act is amended in the Third Schedule by inserting immediately after paragraph (1) thereof, the following new paragraph (2) as follows:

“ (2) The persons referred to in paragraph (1) shall complete the following Personal Questionnaire in satisfaction of the requirements for fitness and propriety and shall submit same to the Commission:

PERSONAL QUESTIONNAIRE

[Fit and Proper Test]

PART A

NAME: _____

PREVIOUS NAMES (IF ANY): _____

ALIASES: _____ DATE OF BIRTH: _____

CITIZENSHIP: _____

PLACE OF BIRTH _____

[SOCIAL SECURITY] [NIS] NUMBER: _____

PASSPORT NUMBER: _____

ADDRESS (Home & Business): _____

OCCUPATION: _____

1. Have you at any time been charged or convicted of any offence by a civil, criminal or military court? (excluding minor Road Traffic offences). If so, please give details of charge, and if convicted, the date of conviction and full particulars of the offence and the penalty imposed.

2. Have you ever been the subject of investigation/disciplinary procedures, censured, disciplined by any professional body to which you belong or have belonged? If so, give particulars.

3. Have you ever been refused entry to any profession or vocation? If so, give particulars.

4. Have you ever been dismissed or requested to resign from any office or employment? If so, give particulars.

5. Have you ever been censured, disciplined by, or made the subject of a court order at the instigation of:-

- (a) any regulatory authority?
 - (b) any officially appointed enquiry?
 - (c) any other established body concerned with the regulation of a relevant activity?
- If so, give particulars.

6. In connection with the formation or management of any corporation, have you been adjudged by a court civilly or criminally liable for any fraud, misfeasance or other misconduct towards that corporation or any member of the corporation? If so, give particulars.

7. In connection with the formation or management of any corporation have you been disqualified by a court from being a director or from acting in the management or conduct of the affairs of any corporation? If so, give particulars.

8. Have you ever –

- (a) been adjudged bankrupt by a court in any jurisdiction?
- (b) had a receiving order made against you?
- (c) had your estate sequestrated?
- (d) entered into a deed of arrangement, or other composition or arrangement with your creditors?

If so, give particulars.

9. Has a bankruptcy petition ever been served on you? If pending, give details of the circumstances and if not pending, how was the matter resolved?

10. Have you, your company or your employer, previously dealt on a regular basis with any person carrying on a relevant activity who has, to your knowledge at any time, indicated that he is unwilling to effect further transactions with you, your company or your employer, by reason of any act or omission by you? If so, give particulars.

11. Will you be actively engaged in the business or the entity to which this application relates and devote the major portion of your time to it?

Please note that due diligence will be conducted on each Director, Senior Management member and major Shareholder at a minimum cost of US\$8,000 or EC\$21,600 (Non-Nationals). This cost is a basic fee and subject to the complexity of the investigation, may be increased on such terms as may be prescribed by the Commission."

PART B

RELATED OR OTHER INTEREST

1. Are you a director of any company, partnership, corporate body or any other business organisation engaged in gaming activity? If so, state –
 - (a) name of company/corporation/etc;
 - (b) nature of business;
 - (c) date of commencement of dictatorship;
 - (d) whether or not employed on service contract (e.g. Managing Directorship) in any case.
2. Have you been a director of a deposit taking institution, credit extending institution, other financial services provider, any other limited company or corporation other than those stated in the previous questions? If so state –
 - (a) name of company/corporation/etc;

- (b) nature of business;
- (c) date of commencement of directorship;
- (d) date of cessation of directorship.

3. Are you or have you been engaged –
- (a) in partnership? or
 - (b) in business as a principal on your own account?

If so, give particulars.

4. Are you a beneficial owner of any controlling interest in any unlisted private or public company? If so, give particulars.

5. Have you even been a director of, or directly concerned with the management of a bank or other financial institution –
- (a) that has been wound up by a court?
 - (b) the licence of which has been revoked?
 - (c) which has been placed in receivership?
 - (d) which has entered into a composition with its creditors?
 - (e) whose business had been adjudged to have been conducted imprudently or fraudulently?
 - (f) which has failed to meet the solvency requirement prescribed by law?

If so, give particulars.

6. Have you ever been a director, or been directly concerned with the management of a bank or other financial institution-
- (a) name of company;
 - (b) name of liquidator;
 - (c) address of liquidator.

7. Have you ever been concerned with the management or conduct of affairs of any corporation which, by reason of any matter relating to a time when you were so concerned, has been censured or disciplined by –

- (a) any regulatory authority?
- (b) any official appointed enquiry?
- (c) any other body concerned with regulation of a relevant activity?

If so, give particulars.

8. Do you (in your personal capacity or through any entity controlled by you) have outstanding debt of any amount sixty or more days in arrears? If so, state the following-

- (a) form
- (b) amount
- (c) source
- (d) maturity date

9. Has any person, firm or company granted the indebtedness? If so, give particulars (see previous question).

10. Are you at present guaranteeing the debts and obligations of any third party? If so, give particulars.

I certify that all the statements contained in this questionnaire are true, accurate and fair to the best of my knowledge and belief.

.....
Signature".

5. **AMENDMENT OF FOURTH SCHEDULE.**

The Gaming (Control) Act is amended in the Fourth Schedule as follows:

(a) By replacing Part II of the Fourth Schedule as follows:

“Fourth Schedule

[sections 12, 21, 26]

PART II

REGISTRATION FEES

Description of Registration		Fees
	Application Fee	Annual Registration Fee
Distributor		\$1000.00
Supplier		\$1000.00
Key Gaming Employee	\$250.00	\$500.00
Junket Operator	\$1000.00	\$5000.00
Lottery Agent		\$1000.00
Slot Operator	\$100.00	\$250.00
Slot Machine Registration		(a) 1-5 machines - \$200.00 per machine (b) 6 machines and above - \$100.00 per machine
Slot Operator		
Slot Parlour		(a) 150 machines - \$20,000.00 (b) More than 150 machines – \$100.00 per machine.”

(b) By replacing Part III of the Fourth Schedule as follows:

“PART III

REGISTRATION OF SLOT OPERATIONS

Category	No. of Machines	Annual Registration Fee
Slot Operations Category A	1-5	\$200.00
Slot Operations Category B	6-10	\$500.00
Slot Operations Category C	11-20	\$1000.00
Slot Parlour	21 machines and above	\$20,000.00.”

6. AMENDMENT OF SIXTH SCHEDULE.

The Gaming (Control) Act is amended in the Sixth Schedule by replacing the expression, “75” with the expression, “150”.

Made this 14th day of September, 2022.

TERRANCE M DREW
Minister responsible for Finance