

REMOTE GAMBLING

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- The implementation of the Gambling Act 2005 in September 2007 brought gambling legislation into the 21st century by enabling remote gambling operators to be licensed in the UK for the first time. Not only are those offering online casinos or betting required to be licensed but there is also a requirement that gambling software developers hold a licence from the Gambling Commission.
- As the relevant technology is constantly developing – from mobile phone software to the latest ‘bots’ made available for in-play betting – it is important that each gambling operator regularly reviews the permissions granted by its operating licence to ensure its new products are covered by that licence.
- Operators who provide facilities for gambling by way of remote communication – i.e. over the internet, telephone, television, radio or via any other technology which facilitates communication – are required to hold an operating licence issued by the Gambling Commission.
- If an operator has at least one piece of ‘remote gambling equipment’ situated in Great Britain, the requirement to be licensed by the Gambling Commission is “triggered”. Such equipment includes electronic or other equipment used to determine a result and equipment used to store information relating to a result. This means that even if an operator only has its server or RNG in Britain, and the rest of its equipment is overseas, it still requires an operating licence.
- Once licensed, operators must submit quarterly regulatory returns to the Gambling Commission detailing information such as the funds held in customer accounts and the RTP (return to player) percentage for each game offered.
- Before launch of each new product offered, operators are required to have the product tested (either in-house or by an approved test house) in accordance with the Gambling Commission’s testing strategy and are required to declare to the Commission that the product complies with the Commission’s Remote and Gambling Software Technical Standards.
- Licensees are also required to comply with the Gambling Commission’s Licence Conditions and Codes of Practice, which include provisions relating to age verification, self-exclusion and other issues relating to social responsibility as well as general procedures applicable to the conduct of a remote gambling business.
- The 2005 Act is still in its infancy and experience has already shown that expert advice is often required to interpret what licensing requirements arise from new technological advances which have been developed since the Act came into force. For example, it is important to ensure that the correct parties are licensed, and that the right licences are acquired in relation to those engaging in white-labelling agreements, developing software for online operators and offering trading rooms.

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- Having been at the forefront of the remote gambling industry from its outset, and with lawyers independently recommended for “*steering our business and giving us an excellent assessment of our needs*”, we are well placed to advise on all aspects of remote gambling law (including advertising law) – whether in the UK or overseas, including Alderney, the Isle of Man, Malta, Gibraltar and other emerging jurisdictions.

Need to know more?

Ask us. “*Truly proactive practitioners, well versed in licensing law, greatly knowledgeable and utterly dependable in fighting its clients’ battles ...*” – *Chambers Guide to the UK Legal Profession 2008*. For information/advice on alcohol or entertainment licensing matters, gaming, betting, lotteries or remote gambling, please contact:

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This document is not intended to be a comprehensive review of all developments in the law or practice, or to cover all aspects of those referred to. Readers should take legal advice before applying the information contained in this publication to specific issues or transactions.

Joelson Wilson LLP

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