



REGULATIONS CONCERNING INTERACTIVE GAMING

These Regulations were enacted by the Kahnawake Gaming Commission on 08 Ohiarihkó:wa/July, 1999 pursuant to Section 24.1 of the *Kahnawake Gaming Law* and were last amended on 16 Kentenha/October, 2013.

PART I: APPLICATION AND PURPOSE

1. These Regulations apply to all interactive gaming based in and offered from within the Territory, including interactive gaming involving players situated both within and outside the Territory.
2. The Commission may, subject to the provisions of the Kahnawake Gaming Law (the "Law") and these Regulations, issue such licences, authorizations and permits as are necessary to ensure proper and effective regulation of interactive gaming based in and offered from within the Territory.
3. These Regulations may serve as a basis for the harmonization of regulatory schemes concerning interactive gaming in comparable jurisdictions and for co-operation and mutual assistance between the Commission and other regulatory and law enforcement agencies. However, these Regulations are not dependent on the ratification or approval of any other jurisdiction or agency.
4. The purposes of these Regulations are:
 - (a) to provide a lawful basis for the regulation and control of interactive gaming based in or offered from within the Territory as a means of promoting and preserving economic development, self-sufficiency and peace, order and good government within the Territory;
 - (b) to ensure that interactive gaming is conducted responsibly, fairly, honestly and in the best interests of Kahnawakeró:non and all other affected parties;
 - (c) to ensure that adequate safeguards are established and enforced to prevent interactive gaming from being associated in any way with crime or criminality;
 - (d) to ensure that the operators of interactive games treat players fairly; that they pay winners promptly and that all information related to player accounts is held in the strictest confidence; and
 - (e) to protect persons under the age of eighteen (18) years and other vulnerable persons from being harmed or exploited by interactive gaming.

5. Except as permitted by these Regulations, interactive gaming based in or offered from within the Territory is prohibited.
6. Authorized Client Providers are responsible for ensuring that their operations conform to the applicable laws and regulations of comparable jurisdictions, including but not limited to any laws and regulations concerning advertising within the comparable jurisdiction.

PART II: DEFINITIONS

7. The definitions provided in the Law have the same meaning in these Regulations.
8. Notwithstanding any provision of these Regulations, the Commission may, by amendment to these Regulations or by written directive, provide that a specified activity, or an activity carried on in specified circumstances, is or is not to be treated for the purposes of these Regulations as being “interactive gaming”.
9. For the purposes of these Regulations:

“applicant” means any person that has applied for an Interactive Gaming Licence, a Client Provider Authorization, Hosting Authorization, Key Person Permit or a renewal of an Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit;

“application” includes an application submitted to the Commission for an Interactive Gaming Licence, a Client Provider Authorization, a Hosting Authorization, a Key Person Permit and an application to renew an Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit;

“appropriate resources” means financial resources:

- (a) adequate, in the Commission’s opinion, to ensure the financial viability of operations conducted under an Interactive Gaming Licence or Client Provider Authorization; and
- (b) demonstrably available from a source that is not, in the Commission’s opinion, contrary to the purpose of these Regulations or to any law applicable within the Territory;

“appropriate services” means the services of persons who have appropriate experience to ensure the proper and successful conduct of interactive games;

“Approved Agent” means a person or persons approved by the Commission to carry out any of the functions set forth in these Regulations, for and on behalf of the Commission;

“Authorized Client Provider” means the holder of a valid Client Provider Authorization issued by the Commission;

“authorized game” means an interactive game that an Authorized Client

Provider is permitted to conduct under the Law and these Regulations;

“bet” means money or something of value put at risk by betting;

“betting” means making or accepting a bet on:

- (a) the outcome of a race, competition or other event or process;
- (b) the likelihood of anything occurring or not occurring; or
- (c) whether anything is or is not true.

For greater certainty:

- (a) a transaction that relates to the outcome of a race, competition or other event or process may be a “bet” within the meaning of this definition despite the facts that:
 - (i) the race, competition, event or process has already occurred or been completed; and
 - (ii) one party to the transaction knows the outcome;
- (b) A transaction that relates to the likelihood of anything occurring or not occurring may be a “bet” within the meaning of this definition despite the facts that:
 - (i) the thing has already occurred or failed to occur; and
 - (ii) one party to the transaction knows that the thing has already occurred or failed to occur.

“Commission” means the Kahnawake Gaming Commission;

“comparable jurisdiction” means any licensing jurisdiction other than Kahnawake which has laws and regulations comparable to the present Regulations that ensure the integrity of interactive gaming and suitability of the persons and operations related thereto;

“control system” means a system of internal controls for the conduct of authorized games by an Authorized Client Provider that includes, but is not limited to, information about the following:

- (a) accounting systems and procedures and charts of accounts;
- (b) administrative systems and procedures;
- (c) gaming and accounting software;
- (d) standard forms and terms;
- (e) general procedures to be followed for the conduct of any form of interactive gaming;
- (f) procedures for preventing underage players from participating in any form of interactive gaming;

- (g) procedures for detecting and preventing money-laundering;
- (h) procedures for ensuring fairness, including but not limited to detecting and preventing collusion or other kinds of fraud by or among players;
- (i) procedures and standards for the maintenance, security, storage and transportation of interactive gaming equipment
- (j) procedures for recording gaming transactions and the payment of winnings to players, and
- (k) its auditors;

“decision” includes:

- (a) conduct engaged in to make a decision;
- (b) conduct related to making a decision; and
- (c) failure to make a decision;

"dishonest act" includes fraud, misrepresentation, theft and any other act or omission which the Commission deems to be a dishonest act;

“game of chance” includes:

- (a) a game that involves both an element of chance and an element of skill;
- (b) a game that involves an element of chance that can be eliminated by superlative skill; and
- (c) a game that is presented as involving an element of chance, but does not include a sport.

For greater certainty, a player plays a game of chance if he or she participates in a game of chance:

- (a) whether or not there are other participants in the game; and
- (b) whether or not a computer generates images or data taken to represent the actions of other participants in the game;

“gaming records” means all records directly or indirectly related to the interactive games produced by an Authorized Client Provider, including but not limited to player account information, wagers placed and outcomes of games played;

“Inspector” means:

- (a) a member of the Commission;
- (b) a person holding an appointment as an Inspector under these Regulations (an “internal Inspector”); or

- (c) a person who holds an appointment as an inspector under a law of a comparable jurisdiction and is authorized in writing by the Commission to act as an Inspector under these Regulations (an “external Inspector”);

“interactive gaming” means:

- (a) playing a game of chance for a prize; or
- (b) betting;

by means of:

- (a) the internet;
- (b) telephone;
- (c) television;
- (d) radio; or
- (e) any other kind of electronic or other technology for facilitating communication;

“Kahnawakeró:non” means a person identified as a Mohawk and a member of the community of Kahnawake pursuant to the Kahnawake Membership Law, as it may be amended from time to time;

“key person” means a person identified as a key person in these Regulations;

“key relationship” means a relationship between a licence holder or an Authorized Client Provider and another person as a result of which the other person is a key person;

“licence” means an Interactive Gaming Licence;

“licence holder” means the holder of a valid Interactive Gaming Licence issued by the Commission;

“material change” means a change that affects an applicant, licence holder or Authorized Client Provider, including but not limited to:

- (a) the appointment of a new Director;
- (b) the addition of a new Shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant, licence holder or Authorized Client Provider;
- (c) the addition, termination or change in functions of a key person;
- (d) a change to a control system that affects, or may affect, the functionality of an authorized game, or
- (e) a change to the contact information previously provided to the

Commission;

"Official" means:

- (a) a person acting in an official capacity under the Law or these Regulations, other than a member of the Commission;
- (b) an Inspector; or
- (c) a person acting under the direction of an Inspector;

"person" includes an individual, corporation, partnership, limited liability company and any other business entity recognized under the laws applicable within the Territory;

"player" means a person who has attained the full age of eighteen (18) years and who participates in an interactive game;

"player's account" means an account:

- (a) in the name of the player:
 - (i) at a financial institution, or
 - (ii) with a body approved by the Commission, and
- (b) against which the Authorized Client Provider has a right to debit the amount of a bet or wager;
- (c) that is established on a basis under which the player may only have direct recourse to the account:
 - (i) to ascertain the balance of funds in the account or to close the account;
 - (ii) to obtain the whole or part of an amount paid into the account as a prize in authorized game, or
 - (iii) as authorized by the licence holder, Authorized Client Provider or the Commission;

"primary jurisdiction" means a country, state, province or other territory that the Commission, in its sole discretion, determines to have an interactive gaming licensing and regulatory regime that is comparable to the Commission's regime. The Commission may promulgate a list of countries, states, provinces and other territories that it considers to be primary jurisdictions for the purposes of these Regulations;

"prize":

- (a) means money or money's worth; and
- (b) includes both a prize provided by a person offering a game of chance and winnings of money staked;

"Show Cause Notice" means the notice provided by the Commission to

the licence holder or Authorized Client Provider, as set forth in these Regulations;

“Show Cause Period” means the period set forth in these Regulations;

“Show Cause Procedure” means the procedure set forth in these Regulations;

“Territory” means the lands held by and under the jurisdiction of the Mohawks of Kahnawake, referred to by the government of Canada as “Kahnawake Indian Reserve No. 14”;

PART III: LICENSING - MANDATORY PROVISIONS

10. The Commission may issue the following types of licences, authorizations and permits:
 - (a) an Interactive Gaming Licence;
 - (b) Client Provider Authorizations;
 - (c) Secondary Client Provider Authorizations;
 - (d) Hosting Authorizations;
 - (e) Inter-Jurisdictional Authorizations, and
 - (f) Key Person Permits.
11. All Client Provider Authorizations, Secondary Client Provider Authorizations and Inter-Jurisdictional Authorizations issued by the Commission must be appended to a valid Interactive Gaming Licence.
12. A Client Provider Authorization is only valid and enforceable for so long as the Interactive Gaming Licence to which it is appended is in good standing.
13. A licence holder is jointly responsible for the acts or omissions of an Authorized Client Provider that are in breach of the Law or these Regulations, provided that the licence holder:
 - (a) was aware, or should reasonably have been aware, of the act or omission; and
 - (b) failed:
 - (i) to take steps to prevent the breach; or
 - (ii) to notify the Commission of the breach.
14. Any breach of the Law or these Regulations by a licence holder may result in the suspension or revocation of its Interactive Gaming Licence and the Client Provider Authorizations appended thereto, and/or the imposition of such fines as are prescribed in these Regulations.

15. Any breach of the Law or these Regulations by an Authorized Client Provider may result in the suspension or revocation of its Client Provider Authorization, and of the Interactive Gaming Licence to which the Client Provider Authorization is appended, and/or the imposition of such fines as are prescribed in these Regulations.
16. All applicants are responsible to the Commission for all costs incurred by the Commission related to the processing of an application. In the event these costs exceed the amount of the application fee, the Commission will notify the applicant in writing to provide a further fee in such amount as the Commission may determine. In the event the Commission does not receive payment of the further fee within ten (10) days of the date of the Commission's notice to the applicant, processing of the application will be suspended until the further fee is received or, if a licence, authorization or permit has already been granted, it may be suspended or revoked.
17. The Commission, in its sole discretion, may deny any application even if the requirements set out in these Regulations have been met.
18. An Interactive Gaming Licence, Authorizations and Permits will be in the form prescribed by the Commission and may, in addition to any other matter which the Commission deems to be appropriate, specify:
 - (a) the name, address, telephone number, fax number and email address of the licence holder, Authorization or Permit holder;
 - (b) the address of the licence holder's premises from which the Authorization holder will conduct interactive gaming;
 - (c) the authorized games the Authorized Client Provider is permitted to conduct;
 - (d) commencement and termination dates of the licence, authorization or permit;
 - (e) any other terms and conditions that are in the public interest and that the Commission, in its sole discretion, considers necessary or desirable for the proper conduct of interactive games;
 - (f) a clause stating that the Commission and its members, employees and agents are not liable for any damages, losses, costs or liabilities incurred by a licence holder, Authorization or Permit holder; and
 - (g) a clause stating that the licence, Authorization or Permit holder has agreed to indemnify the Commission against any claims, demands or actions and any resulting damages, awards or costs (including legal costs) brought by any third party against the Commission in relation to the acts or omissions of a licence Authorization or Permit holder.
19. An Interactive Gaming Licence and any Authorization or Permit issued by the Commission under these Regulations:
 - (a) subject to the provisions of these Regulations, may be

amended, suspended or revoked for any breach of the Law, these Regulations, the terms and conditions of the Interactive Gaming Licence, Authorization or Permit, or any direction issued by the Commission;

- (b) are not valid unless and until the prescribed fees have been paid in full, and
- (c) may not be sold, transferred, mortgaged or assigned.

20. Notwithstanding any other provision of these Regulations, an Authorized Client Provider, including their respective members, shareholders, directors, officers, employees (contractual or otherwise) and agents must not engage in the following activities by way of voice communication with a player, through any device or means:

- (a) betting;
- (b) receiving or accepting instructions in relation to the deposit or withdrawal of funds into or from a player's account;
- (c) offering a player incentives or bonuses or encouraging a player to increase their participation in interactive gaming.

PART IV: LICENSING - ASSESSING SUITABILITY

21. The Commission or such person as the Commission may appoint as an Approved Agent for the purpose, will conduct a thorough investigation to determine an applicant's suitability to hold an Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit.

22. The Commission, or such person as the Commission may appoint as an Approved Agent for the purpose, may at any time after a licence, authorization or permit has been granted, investigate a licence holder, Authorized Client Provider or key person if the Commission reasonably suspects the licence holder, Authorized Client Provider, Hosting Authorization holder or key person is not, or is no longer, suitable to hold a licence, authorization or permit issued by the Commission.

23. In investigating a licence holder, Authorized Client Provider, Hosting Authorization holder or key person the Commission may, by written notice given to the person, require the person to give the Commission information or documentation the Commission considers relevant to the investigation and the person must comply with the requirement.

24. The Commission may consider an applicant suitable to hold an Interactive Gaming Licence, an Client Provider Authorization, Hosting Authorization or a Key Person Permit, if the applicant satisfies the Commission that:

- (a) in the case of an individual, the applicant is a person of good character, honesty and integrity; taking into consideration any matter the Commission considers relevant, including but not limited to the following:

- (i) personal, professional and business associations;
 - (ii) history of criminal convictions;
 - (iii) history of civil litigation;
 - (iv) credit history or bankruptcies;
 - (v) personal and professional references;
 - (vi) education, training and work history; and
- (b) in the case of a corporation, the applicant has:
- (i) a good business reputation, sound current financial position and financial background;
 - (ii) arranged a satisfactory ownership and corporate structure;
 - (iii) the appropriate resources, services, skills and technical ability to provide the services authorized by its licence, authorization or permit;
 - (iv) each director, shareholder with ten percent (10%) or more ownership of or controlling interest in the corporation and key person, is a suitable individual; and
 - (v) any other matter prescribed under these Regulations, under a law applicable within the Territory or which the Commission otherwise deems appropriate.

25. The Commission may consider proof that an applicant has been licensed to conduct gaming in a comparable jurisdiction as *prima facie* evidence of the applicant's suitability to conduct interactive gaming within the Territory.

PART V: INTERACTIVE GAMING LICENCE

26. Subject to the provisions of these Regulations, the holder of a valid Interactive Gaming Licence is entitled to operate a co-location facility that provides internet services to Authorized Client Providers and any matters necessarily incident thereto.

27. The holder of a valid Interactive Gaming Licence must not provide services to any person engaged in interactive gaming unless that person is an Authorized Client Provider.

28. To ensure the best interests of the community of Kahnawake are upheld, only one Interactive Gaming Licence will ever be issued by the Commission at any given time.

29. To be considered by the Commission, an application for an Interactive Gaming Licence must include the following, duly completed as required:

- (a) an application for an Interactive Gaming Licence, in the

- approved form;
- (b) business entity information, in the approved form;
- (c) personal information and financial information, in the approved forms, for each director and shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant corporation;
- (d) an application for a Key Person Permit, in the approved form, for each of the proposed key persons;
- (e) personal information, in the approved form, for each of the proposed key persons;
- (f) Key Person Permit application fees, as provided in these Regulations;
- (g) Detailed information about structure, equipment and services to be offered by the co-location facility the applicant proposes to operate;
- (h) an application fee in the amount of Twenty Five Thousand (\$25,000.00) Dollars, which includes:
 - (i) the estimated cost of conducting the Commission's due diligence regarding the applicant and the individuals who have provided Personal Information Forms (non-refundable); and
 - (ii) the first annual licensing fee (refundable if an application is not granted);

but which does not include any costs associated with the Commission's assessment of the information concerning the co-location facility the applicant proposes to operate - which cost will be paid by the applicant to the Commission upon being presented the appropriate invoice.

30. The Commission may grant an Interactive Gaming Licence only if the applicant satisfies the Commission that:
- (a) the premises at which the co-location facility is to be operated is wholly situated within the Mohawk Territory of Kahnawake;
 - (b) the applicant has established and is capable of operating a co-location facility that provides internet service, and all required support services which, in the Commission's sole discretion, are capable of providing suitable and reliable internet services to Authorized Client Providers;
 - (c) the applicant satisfies the eligibility requirements of the Law and is suitable to hold an Interactive Gaming Licence;
 - (d) each director, shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant, is a suitable

person;

- (e) each of the applicant's key persons are suitable persons;
- (f) the applicant is a business entity that has a good business reputation, sound current financial position and financial background; and
- (g) the applicant has satisfied any other requirement that the Commission, in its sole discretion, deems appropriate.

31. Subject to the foregoing sections, the Commission will promptly consider the application and will:

- (a) grant the application and issue an Interactive Gaming Licence;
- (b) deny the application: or
- (c) return the application to the applicant with a request for additional information.

32. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant.

33. An Interactive Gaming Licence will not be granted for a period of time exceeding five (5) years.

PART VI: CLIENT PROVIDER AUTHORIZATIONS

34. Subject to the provisions of these Regulations, the holder of a valid Client Provider Authorization is entitled to conduct interactive gaming from the co-location facility that is owned and operated by the holder of a valid Interactive Gaming Licence.

35. To be considered by the Commission, an application for a Client Provider Authorization must include the following, duly completed as required:

- (a) an application for a Client Provider Authorization, in the approved form;
- (b) business entity information, in the approved form;
- (c) personal information and financial information, in the approved forms, for each director and shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant corporation;
- (d) an application for a Key Person Permit, in the approved form, for each of the proposed key persons;
- (e) personal information, in the approved form, for each of the proposed key persons;
- (f) a letter from the holder of a valid Interactive Gaming Licence,

indicating that it is aware of and consents to having the applicant's Client Provider Authorization, if it is granted, appended to the Interactive Gaming Licence;

- (g) except as otherwise directed by the Commission, a Control System Submission, in the approved form;
- (h) an application fee in the amount of Twenty Five Thousand (\$25,000.00) Dollars, which includes:
 - (i) the estimated cost of conducting the Commission's due diligence regarding the applicant and the individuals who have provided Personal Information Forms (non-refundable); and
 - (ii) the first annual licensing fee (refundable if an application is not granted);

but which does not include any costs associated with the Commission's assessment of the applicant's Control System Submission - which cost will be paid by the applicant to the Commission upon being presented the appropriate invoice;

- (i) Key Person Permit application fee in the amount of Five Thousand (\$5,000.00) for each proposed key person.

36. The Commission may grant a Client Provider Authorization only if the applicant satisfies the Commission that:

- (a) the applicant is suitable to hold an Client Provider Authorization;
- (b) each director, shareholder with ten percent (10%) or more ownership of or controlling interest in the applicant, is a suitable person;
- (c) each of the applicant's key persons are suitable persons;
- (d) the applicant is the owner or licensee of control systems that are capable of providing fair and reliable interactive gaming and that satisfy each of the other requirements of a control system as defined by these Regulations;
- (e) the Commission and the Applicant have agreed on the design of, and an implementation schedule for, a continuous compliance program;
- (f) the applicant is a business entity that has a good business reputation, sound current financial position and financial background;
- (g) the applicant has satisfied any other requirement that the Commission, in its sole discretion, deems appropriate.

37. The Commission will consider each application for a Client Provider Authorization independently from the Interactive Gaming Licence to which it is proposed to be appended and independently from any other

Client Provider Authorization already appended to the Interactive Gaming Licence.

38. Subject to the foregoing section, the Commission will promptly consider the application and will:
 - (a) grant the application and issue a Client Provider Authorization for an initial term of six (6) months;
 - (b) deny the application; or
 - (c) return the application to the proposed client provider with a request for additional information.
39. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant.
40. In the event an application is granted:
 - (a) the Commission will notify in writing, the Authorized Client Provider and the holder of the Interactive Gaming Licence to which the Client Provider Authorization is to be appended;
 - (b) the Client Provider Authorization will be appended to the licence holder's Interactive Gaming Licence;
 - (c) an original Client Provider Authorization certificate will be provided to the Authorized Client Provider.
41. During the initial six (6) month term after the issuance of a Client Provider Authorization, the Authorized Client Provider must implement, to the Commission's satisfaction, the appropriate continuous compliance program.
42. Not less than thirty (30) days prior to the expiry of the initial six (6) month period after the issuance of a Client Provider Authorization, the Commission will review the Authorized Client Provider's performance during this period of time, and will in particular consider whether:
 - (a) the Authorized Client Provider has satisfactorily implemented the appropriate continuous compliance program;
 - (b) there have been an inordinate number of complaints from players or other third parties in relation to the Authorized Client Provider's operations, control systems, payment processes or any other matter;
 - (c) the Authorized Client Provider has breached these Regulations or any other law applicable within the Territory; and
 - (d) the Authorized Client Provider has committed any other act or omission that negatively affected the credibility or reputation of the Commission, the Territory or any person or entity within the Territory.
43. As soon as possible after the review referred to in the foregoing section

42, and in any event prior to the expiry of the initial six (6) month, the Commission will, based on the information reviewed:

- (a) renew the Client Provider Authorization for a term not exceeding five (5) years;
- (b) not renew the Client Provider Authorization; or
- (c) extend the term of the Client Provider Authorization for another three months.

44. If a Client Provider Authorization is extended pursuant to subsection 43(c) the provisions of sections 41 and 42 will apply, *mutatis mutandis*.

45. A Client Provider Authorization may not be extended pursuant to subsection 43(c) more than once.

PART VII: SECONDARY CLIENT PROVIDER AUTHORIZATIONS

46. An application for a Secondary Client Provider Authorization may be submitted to the Commission by:

- (a) an applicant who is not an Authorized Client Provider, or
- (b) an Authorized Client Provider.

47. If the application for a Secondary Client Provider Authorization is made by an applicant who is not an Authorized Client Provider:

- (a) the application must be submitted to the Commission in the approved form, and
- (b) the provisions of these Regulations for submitting, receiving, reviewing and deciding an application for a Client Provider Authorization will also apply to an application for a Secondary Client Provider Authorization, *mutatis mutandis*;
- (c) the application must be accompanied by an application fee in the amount of Twenty Five Thousand (\$25,000.00) Dollars.

48. If the application for a Secondary Client Provider Authorization is made by an Authorized Client Provider:

- (a) the application must be submitted to the Commission in the approved form;
- (b) provided the Commission is satisfied that there are no changes to the ownership, control or management of the Authorized Client Provider or to its control systems, the provisions of these Regulations for reviewing the suitability of the Authorized Client Provider, its key persons and control systems will not apply;
- (c) the application fee will be the actual costs incurred by the Commission to process the application, if any, plus an administrative fee of Fifteen (15%) per cent.

49. The Commission may issue to an applicant a Secondary Client Provider Authorization if the Commission is satisfied that:
- (a) the applicant holds a valid licence to operate interactive gaming issued by a primary jurisdiction;
 - (b) the applicant or Authorized Client Provider has its head office and primary focus of operations in the primary jurisdiction;
 - (c) the same type of gaming activity offered, or authorized to be offered, by the applicant or Authorized Client Provider from its servers located within Kahnawake are also offered, or authorized to be offered, from servers located within the primary jurisdiction.
50. Proof of a valid licence from the primary jurisdiction must be provided to the Commission at the time of the application for the Secondary Client Provider Authorization and updated on an annual basis.
51. In the event the licence from the primary jurisdiction is suspended, revoked or allowed to lapse, the holder of a Secondary Client Provider Authorization must, within thirty (30) days, apply for a Client Provider Authorization under these Regulations, failing which the Commission may suspend or revoke the Secondary Client Provider Authorization.
52. Except as provided herein, the holder of a Secondary Client Provider Authorization is subject to all provisions of these Regulations, including the payment of annual fees, as the holder of a Client Provider Authorization.
53. A Secondary Client Provider Authorization will have a notation on its face that it is a "Secondary Client Provider Authorization" and will make reference to the licence issued by the primary jurisdiction.
54. The holder of a valid Secondary Client Provider Authorization is not required to display the Commission's logo, address, telephone number, fax number or e-mail address on its website and will not be listed on the Commission's website.

PART VIII: HOSTING AUTHORIZATIONS

55. The Commission may issue to Continent 8 Technologies, plc a Hosting Authorization in respect of a hosting facility managed by Continent 8 Technologies, plc, for the purpose of accommodating gaming equipment that is operated by an Authorized Client Provider.
56. A hosting facility for which the Commission has issued a valid and subsisting Interactive Gaming Licence is not required to hold a Hosting Authorization.
57. In considering whether to issue a Hosting Authorization, the Commission will have regard to:
- (a) the location of the hosting facility;
 - (b) the layout of the hosting facility;
 - (c) the security of the hosting facility, including access thereto; and

- (d) the facilities at the hosting facility, including the arrangements in place in respect of power sources and business continuity,

and must be satisfied that the hosting facility is suitable and secure, with regard to:

- (a) the location of the hosting facility;
- (b) certification to relevant local regulations and standards;
- (c) rack quantity, power and configuration;
- (d) uninterruptable power supply and generator back-up power systems and redundancy;
- (e) air conditioning systems;
- (f) redundancy and diversity of internet feeds and telecommunications providers;
- (g) fire and environmental protection systems;
- (h) water leak detection systems;
- (i) disaster recovery procedures; and
- (j) staffing policies.

58. Subject to section 55, an application for a Hosting Authorization may be made in respect of a hosting facility situated in any jurisdiction, and must be made in writing by completing an application form as set out in Schedule "K", signed by a duly authorized officer of the applicant and delivered to the offices of the Commission.

59. An application for a Hosting Authorization must be accompanied by a deposit in the amount of Five Thousand (US\$5,000.00) US Dollars from which the Commission is permitted to draw the costs associated with processing, investigating and determining that application.

60. If prior to the determination of an application for a Hosting Authorization, the monies deposited with the Commission in accordance with section 4 have been exhausted, the Commission may by notice in writing to the applicant require that an additional sum be deposited with the Commission by, or on behalf of, the applicant. Where a notice under this section has been given, the Commission is not required to determine the application until the notice has been complied with.

61. Before deciding whether to grant or refuse an application for a Hosting Authorization, the Commission will consider:

- (a) any relevant reports and materials that have been submitted to them; and
- (b) other material or information supplied to the Commission by, or on behalf of, the applicant as the Commission considers appropriate.

62. Where the Commission consider that they have insufficient information on which to decide whether to grant or refuse the application, they will defer their decision on the application and invite the applicant, or a representative of the applicant, to provide additional information.

63. If the Commission refuses to grant an application for a Hosting Authorization, the Commission will give the applicant written notice of the decision with reasons for the refusal.

64. If the Commission grants an application for a Hosting Authorization, the Hosting Authorization will be a form directed by the Commission.
65. A Hosting Authorization granted by the Commission is subject to the following conditions:
 - (a) upon request from a duly authorized officer of the Commission about the level of activity at approved hosting facility being undertaken by an Authorized Client Provider, the Hosting Authorization holder must, as soon as reasonably practicable, provide the information requested or explain why that information cannot be supplied;
 - (b) the Hosting Authorization holder must within forty-eight (48) hours of any serious incident negatively affecting the operations of any service provided to an Authorized Client Provider at its hosting facility notify the Commission in writing of the details and consequences of the incident and of the remedial steps, if any, taken;
 - (c) the Hosting Authorization holder must give notification in writing to the Commission containing full details within seven (7) days when a material change occurs in the information previously supplied by it to the Commission, whether prior to being granted the Hosting Authorization or subsequently;
 - (d) upon being given reasonable notice, which will wherever possible be not less than seven (7) days, the Hosting Authorization holder will attend at a meet of the Commission for the purpose set out in the notice.
66. A Hosting Authorization is valid for a period of five (5) years.
67. Withdrawal of a Hosting Authorization takes effect when the determination notice is given or, if the determination notice specifies a later day, on the later day.
68. The holder of a Hosting Authorization that has been withdrawn must return the Hosting Authorization to the Commission within seven (7) days of the withdrawal taking effect.
69. The requirements imposed on a hosting facility or an online gaming operator by the regulatory body of another jurisdiction, are not affected by the provisions of this Part, unless modified by agreement between the Commission and the other regulatory body.
70. Upon being given reasonable notice, which will wherever possible be not less than seven (7) days, the Hosting Authorization holder will attend at a meeting of the Commission for the purpose set out in the notice.
71. The Commission may withdraw a Hosting Authorization if they are satisfied that unless the Hosting Authorization is withdrawn:
 - (a) the integrity of the conduct of interactive gaming by an Authorized Client Provider may be jeopardized in a material way; or
 - (b) the public interest or the integrity and reputation of interactive gaming in Kahnawake may be affected in an adverse way.

PART IX: INTER-JURISDICTIONAL AUTHORIZATIONS

72. Subject to the provisions of these Regulations, the holder of a valid Inter-Jurisdictional Authorization is entitled to conduct interactive gaming from the co-location facility that is owned and operated by the holder of a valid Interactive Gaming Licence.
73. To be considered by the Commission, an application for an Inter-Jurisdictional Authorization must include the following, duly completed as required:
- (a) an application for an Inter-Jurisdictional Authorization, in the form set out in Schedule "L" to these Regulations;
 - (b) proof, satisfactory to the Commission, that:
 - (i) the applicant holds a valid and subsisting licence issued by a primary jurisdiction to conduct interactive gaming, and
 - (ii) the applicant, its software and control systems are subject to and are being properly regulated by the laws and regulations of the primary jurisdiction;
 - (c) a letter from the holder of a valid Interactive Gaming Licence, indicating that it is aware of and consents to having the applicant's Inter-Jurisdictional Authorization, if it is granted, appended to the Interactive Gaming Licence;
 - (d) an application fee in the amount of Two Thousand (\$2,000.00) Dollars.
74. The Commission may grant an Inter-Jurisdictional Authorization only if the applicant satisfies the Commission that the requirements in the foregoing section 73 have been met.
75. The Commission will consider each application for an Inter-Jurisdictional Authorization independently from the Interactive Gaming Licence to which it is proposed to be appended and independently from any other Inter-Jurisdictional Authorization or Client Provider Authorization already appended to the Interactive Gaming Licence.
76. The Commission will promptly consider the application and will:
- (a) grant the application and issue an Inter-Jurisdictional Authorization;
 - (b) deny the application; or
 - (c) return the application to the applicant with a request for additional information.
77. An Inter-Jurisdictional Authorization is not valid unless and until the required annual licensing fee has been paid in full.
78. The holder of an Inter-Jurisdictional Authorization will not display the Commission's name or logo on its site.
79. Except as a complaint relates to services provided by the holder of the Interactive Gaming Licence to the holder of an Inter-Jurisdictional Authorization, the Commission is not responsible for receiving, processing or resolving complaints from players who gamble on a site operated by the holder of an Inter-Jurisdictional Authorization.
80. In the event an application is denied, the Commission will give its

reasons for the refusal in writing to the applicant.

81. In the event an application is granted:
- (a) the Commission will notify the successful applicant in writing, with a copy to the holder of the Interactive Gaming Licence to which the Inter-Jurisdictional Authorization is to be appended;
 - (b) the Inter-Jurisdictional Authorization will be appended to the licence holder's Interactive Gaming Licence, and
 - (c) an original Inter-Jurisdictional Authorization certificate will be provided to the successful applicant.

PART X: KEY PERSON PERMITS

82. For the purposes of these Regulations, there are two types of key persons; namely persons who are employed or contracted by a Interactive Gaming licence holder or Authorized Client Provider to perform either:

- (a) key managerial functions; or
- (b) key operational functions.

83. Any person who performs a key managerial function or a key operation function for a licence holder or an Authorized Client Provider - or who is deemed to be a key person under these Regulations - must apply for a Key Person Permit. Notwithstanding any other provision of these Regulations, the issuance of a Key Person Permit does not remove overall responsibility from the Interactive Gaming licence holder or Authorized Client Provider for the acts or omissions of a key person.

84. The holder of an Interactive Gaming Licence must designate at least two key persons: one who performs key managerial functions and one who performs key operational functions for or on behalf of the licence holder.

85. All Authorized Client Providers must designate at least one person as the person who performs key managerial functions for or on behalf of the Authorized Client Provider.

86. When a person has or may have the potential to manipulate the outcome of an authorized game for his or her advantage or for the advantage of others, notwithstanding the foregoing section 85, the Commission will direct the Authorized Client Provider to designate that person as a person who performs key operational functions for or on behalf of the Authorized Client Provider and require that person to apply for a Key Person Permit.

87. Notwithstanding any other provision of these Regulations, persons holding the following titles or performing the functions normally associated with these titles, are deemed to be performing key managerial functions for or on behalf of an applicant, licence holder or Authorized Client Provider:

- (a) Chief Executive Officer;
- (b) Chief Financial Officer;

(c) Office Manager.

88. Notwithstanding any other provision of these Regulations, persons holding the following titles or performing the functions normally associated with these titles, are deemed to be performing key operational functions for or on behalf of an applicant, licence holder or Authorized Client Provider:

(a) Chief Operations Officer;

(b) Chief Technology Officer.

89. The Commission will grant an application for a Key Person Permit to either type of key persons, only if the person applying for the Key Person Permit satisfies all of the following requirements:

(a) he or she has submitted to the Commission:

(i) a duly completed Application for a Key Person Permit, in the approved form;

(ii) personal information, in the approved form;

(iii) a letter from the proposed licence holder or Authorized Client Provider addressed to the Commission confirming the existence or proposed existence of the key relationship, the type of key function the proposed key person will perform and the type of training the proposed key person has received that would qualify him or her to perform the proposed key person function;

(iv) a Key Person Permit application fee in the amount of Five Thousand (\$5,000.00) Dollars, which includes:

(1) the estimated cost of conducting the Commission's due diligence regarding the applicant (non-refundable); and

(2) the first annual licensing fee (refundable if an application is not granted);

(b) the Commission is satisfied that the applicant is a suitable person.

90. Subject to the foregoing sections, the Commission will promptly consider the application and will

(a) grant the application and issue a Key Person Permit;

(b) deny the application; or

(c) return the application to the applicant with a request for additional information.

91. The Commission may issue a Key Person Permit:

- (a) on conditions the Commission considers necessary or desirable for the proper conduct of interactive games; and
 - (b) on other conditions the Commission considers necessary or desirable in the public interest.
- 92. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant and to the licence holder or authorized client provide with whom the person was proposed to have a key relationship.
- 93. In the event an application is granted the Commission will notify in writing, the key person and the licence holder or Authorized Client Provider with whom the person is to have the key relationship.
- 94. A person must not accept employment or provide services as a key person with a licence holder or Authorized Client Provider, or agree to carry out the duties of a key person, unless the person has applied for and been granted a Key Person Permit. A licence holder or Authorized Client Provider must not employ a person to carry out the functions of a key person, unless the person has applied for and been granted a Key Person Permit.
- 95. The Commission may, by issuing a written directive, require a key person to appear before it to answer any questions or to provide any documents or other information the Commission requests. A key person; upon whom a written directive under this section is served, must appear as required and respond to the Commission's questions and comply with its requests.
- 96. Notwithstanding any other provision of these Regulations, If the Commission reasonably believes a person, other than a Key Person Permit holder, is performing either key managerial function or key operational functions, the Commission may, by written notice given to the person, with copies to the licence holder or Authorized Client Provider with whom the key relationship exists, direct the person either to apply for a Key Person Permit or to terminate the relevant key relationship, within seven (7) days of receiving the notice.
- 97. The person must comply with the Commission's direction within seven (7) days of receiving the notice or such other period of time that the Commission may specify in the notice.
- 98. If as a result of receiving a direction pursuant to section 96, a licence holder or Authorized Client Provider elects to terminate the relevant key relationship:
 - (a) the Commission must be provided proof, satisfactory to the Commission, that the key relationship has in fact been terminated; and
 - (b) the licence holder or Authorized Client Provider must identify the person who will perform the functions that were previously provided by the person who was terminated and, unless the Commission directs otherwise, the new person must apply for a

Key Person Permit.

99. If the Commission denies an application for a Key Person Permit, the Commission will, by written notice given to the person, with copies to the licence holder or Authorized Client Provider with whom the key relationship exists, require the person to terminate the relevant key relationship within the time stated in the notice and the person must comply with the requirement within the time stated in the notice.
100. If a direction or requirement is made of a person under the foregoing sections and the person fails to comply with the requirement, the Commission will, by written notice given to the licence holder or Authorized Client Provider with whom the key relationship exists, require the licence holder or Authorized Client Provider to take any necessary action to terminate the key relationship within the time stated in the notice and the licence holder or Authorized Client Provider must comply with the requirement within the time stated in the notice.
101. A person does not incur any liability as a result of action taken to comply with a notice under this Part.
102. A Key Person Permit may be granted for a term not exceeding two (2) years but may be renewed an unlimited number of times.
103. A Key Person Permit may be renewed in accordance with the process for renewing an Interactive Gaming Licence or Client Provider Authorization set out in these Regulations, *mutatis mutandis*. For greater certainty, the renewal fee for a Key Person Permit is included in the renewal application fee prescribed in section 132, provided the anniversary of the Key Person Permit coincides with the anniversary of the relevant Interactive Gaming Licence or Client Provider Authorization. If the renewal date of a Key Person Permit does not coincide with the anniversary of a relevant Interactive Gaming Licence or Client Provider Authorization, the Key Person Permit renewal application fee is Two Thousand Five Hundred (\$2,500.00) Dollars.
104. A Key Person Permit will be in the form prescribed by the Commission and will include the following:
 - (a) the key person's name;
 - (b) a recent photograph of the key person;
 - (c) the date of issue of the licence;
 - (d) the conditions of the licence;
 - (e) other conditions or particulars the Commission deems to be appropriate;
105. A Key Person Permit lapses if there has been no key relationship between the key person and a licence holder or Authorized Client Provider for a continuous period of six (6) months.

PART XI: ANNUAL LICENSING FEES

106. In addition to any other fees provided in these Regulations, licence, authorization and permit holders must pay annual licensing fees as follows:
- (a) for an Interactive Gaming Licence: Ten Thousand (\$10,000.00) Dollars;
 - (b) for an Client Provider Authorization: Ten Thousand (\$10,000.00) Dollars;
 - (c) for a Secondary Client Authorization: Ten Thousand (\$10,000.00) Dollars;
 - (d) for a Hosting Authorization: Five Thousand (\$5,000.00) Dollars;
 - (e) for an Inter-Jurisdictional Authorization: Ten Thousand (\$10,000.00) Dollars;
 - (f) for a Key Person Permit: One Thousand (\$1000.00) Dollars.
107. Annual licensing fees must be paid in full on or before the anniversary of the date on which the licence, authorization or permit was first issued and on or before each subsequent anniversary date.
108. The Commission will, not less than thirty (30) days before the date on which an annual licensing fee is due, send a written notice (the "notice to pay") to the affected licence holder, Authorized Client Provider or key person, advising of the amount of the annual licensing fee and the date on which payment is due.
109. Failure to receive a notice to pay does not excuse a licence holder, Authorized Client Provider or key person from his, her or its obligation to pay the appropriate annual licensing fee.
110. A licence holder, Authorized Client Provider or key person must pay to the Commission a penalty on the amount of a Licence, authorization or permit fee outstanding (the "unpaid amount") as at the end of the period allowed for payment.
111. The penalty is ten percent (10%) per annum of the unpaid amount calculated on a per diem basis from the date the fee was due until it is paid in full.
112. A licence holder is jointly and severally liable for the payment of an Authorized Client Provider's annual licensing fees, including penalties, for any Client Provider Authorization appended to the licence holder's Interactive Gaming Licence.
113. The amount of a licence, authorization or permit fee, or a penalty payable under this Part is a debt payable to the Commission and may be recovered by action in a court of competent jurisdiction.
114. Failure to pay in full the annual licensing fees provided in these Regulations may, in addition to the penalties provided in these Regulations, result in the suspension or revocation of the licence,

authorization or permit in question.

PART XII: POSTING SECURITY FOR OPERATIONS

115. All licence holders and Authorized Client Providers must provide the type and amount of security for the costs and expenses incurred by their operations, including but not limited to obligations owed to players, as directed by the Commission.
116. In the event a licence holder or Authorized Client Provider does not fulfill its obligations to the Commission, or to a player, the Commission may take such measures, as may be required, to use the security provided by the licence holder or Authorized Client Provider to satisfy the obligation in question.
117. The Commission will decide whether a licence holder or Authorized Client Provider should be required to post security under this Part and, if so, determine the type and amount of security that a licence holder or Authorized Client Provider must provide, how the security is to be held and for what period of time.
118. The types of security may be one or more of the following:
 - (a) a bond;
 - (b) insurance;
 - (c) a lien or charge against:
 - (i) physical assets;
 - (ii) accounts receivable;
 - (iii) internet domain names;
 - (iv) client lists;
 - (v) cash deposit; or
 - (vi) such other type of security that is satisfactory to the Commission.
119. The type and amount of security may vary according to the circumstances of the licence holder or Authorized Client Provider.
120. The type and amount of security may be varied by the Commission, in its sole discretion, upon application by a licence holder or Authorized Client Provider.
121. Notwithstanding anything in this Part, the Commission may direct a licence holder or Authorized Client Provider to provide a type of security that is not referenced in these Regulations.

PART XIII: MATERIAL CHANGE REPORTS

122. Every licence holder, Authorized Client Provider, Hosting Authorization holder, key person and applicant, must report to the Commission any material change to the information that was provided to the Commission for the purposes of an application a (“material change report”).
123. A material change report must be in writing, must clearly identify the material change in question and must be received by the Commission:
 - (a) wherever possible, at least thirty (30) days prior to the date on which the proposed material change is to be effective; or
 - (b) in any event, not later than seven (7) days from the date on which the material change was effective.
124. The costs incurred by the Commission, associated with its assessment of a material change report, will be paid to the Commission by the licence holder, Authorized Client Provider, Hosting Authorization holder, key person or applicant that submitted the report, upon being presented the appropriate invoice.
125. Failure to report a material change to the Commission as required by this Part may result in one or more of the following sanctions:
 - (a) the immediate amendment, suspension, withdrawal or revocation of the Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit to which the change relates;
 - (b) for each material change that was not reported, a fine of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
126. In the case of an application, failure to report a material change is a sufficient ground for denial of the application.
127. The Commission will consider the information in a material change report, including a material change report that is received after the material change is effective, and will issue such written directions to licence holder, Authorized Client Provider, Hosting Authorization holder, key person or applicant as the Commission, in its sole discretion, deem necessary and appropriate under the circumstances.
128. Notwithstanding any other provision of this Part, a licence holder will notify the Commission in writing that an Authorized Client Provider has, or is considering, voluntarily terminating its Client Provider Authorization and/or removing a significant portion of its equipment from the licence holder’s premises. For the purposes of this section, “significant portion” means more than half of an Authorized Client Provider’s equipment, measure in terms of quantity or value.

PART XIV: RENEWAL APPLICATIONS

129. Each Interactive Gaming Licence, Client Provider Authorization must be renewed in accordance with the procedures in this part. Failing to do so, the Interactive Gaming Licence or Client Provider Authorization will terminate on its termination date.

130. An application to renew an Interactive Gaming Licence or Client Provider Authorization must be submitted to the Commission in the approved form (a “renewal application”).
131. A renewal application must be received by the Commission not less than three months prior to the termination date of the Interactive Gaming Licence or Client Provider Authorization.
132. To be considered by the Commission, a renewal application must contain all of the information requested the approved form and be accompanied by a non-refundable renewal application fee in the amount of Five Thousand (\$5,000.00) Dollars.
133. Subject to the foregoing section, the Commission will promptly consider the renewal application and will:
 - (a) grant the renewal application and renew the Interactive Gaming Licence or Client Provider Authorization for a period of five (5) years;
 - (b) deny the renewal application; or
 - (c) return the renewal application with a request for additional information.
134. In the event an application is denied, the Commission will give its reasons for the refusal in writing to the applicant.
135. In deciding whether to grant a renewal application, the Commission will consider any material changes to the information previously provided to the Commission and any complaints, concerns or problems that may have arisen in the previous term related to the licence holder or Authorized Client Provider and will deny the renewal application if, in the Commission's sole discretion, the complaints, concerns or problems are sufficiently serious or numerous.
136. An Interactive Gaming Licence or Client Provider Authorization that is renewed under this Part continues to be subject to the all provisions of these Regulations.

PART XV: AMENDMENTS

137. The Commission may amend any term or condition of an Interactive Gaming Licence or Client Provider Authorization if the Commission considers it is necessary or desirable to make the amendment for the proper conduct of authorized games by an Authorized Client Provider or that the amendment is otherwise in the public interest.
138. If the Commission decides to amend an Interactive Gaming Licence or Client Provider Authorization, the Commission must promptly give the licence holder or Authorized Client Provider, written notice (the “amendment notice”) of the change and the reasons for the change.
139. The authority of the Commission under this section includes the

authority to add such new terms or conditions as the Commission, in its sole discretion, deems appropriate.

140. Before amending an Interactive Gaming Licence or Client Provider Authorization, the Commission must follow the 'show cause' procedures set out in these Regulations.
141. The licence holder or Authorized Client Provider, as the case may be, must return the existing Interactive Gaming Licence or Client Provider Authorization to the Commission within seven (7) days of receiving the amendment notice.
142. In the event the licence holder or Authorized Client Provider fails or refuses to return the existing Interactive Gaming Licence or Client Provider Authorization to the Commission pursuant to section 141, the Commission may impose one or more of the following sanctions:
 - (a) issue a replacement Interactive Gaming Licence or Client Provider Authorization, incorporating the amended conditions, to the licence holder or Authorized Client Provider;
 - (b) suspend or revoke the existing Gaming Licence or Client Provider Authorization;
 - (c) impose a fine on the licence holder or Authorized Client Provider of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
143. On receiving the Interactive Gaming Licence or Client Provider Authorization, the Commission will:
 - (a) amend the Interactive Gaming Licence or Client Provider Authorization in an appropriate way and return the amended Licence, authorization or permit to the licence holder or Authorized Client Provider; or
 - (b) if the Commission does not consider it is practical to amend an Interactive Gaming Licence or Client Provider Authorization, issue a replacement Gaming Licence or Client Provider Authorization, incorporating the amended conditions, to the licence holder or Authorized Client Provider.
144. An amendment takes effect on the date set by the Commission.

PART XVI: SUSPENSIONS AND REVOCATIONS

145. The Commission may suspend or revoke an Interactive Gaming Licence, Client Provider Authorization or Key Person Permit, on one or more of the following grounds:
 - (a) the licence holder or Authorized Client Provider no longer has, in the Commission's sole discretion, a good business reputation or sound current financial position;
 - (b) one or more of the persons that own, control or are key persons of licence holder or Authorized Client Provider are no longer, in

- the Commission's sole discretion, suitable;
- (c) in the case of a Key Person Permit, the person is no longer, in the Commission's sole discretion, suitable;
- (d) the Authorized Client Provider is no longer the owner or licensee of a control system that is, in the Commission's sole discretion, suitable for the purpose of conducting interactive gaming;
- (e) the licence holder or Authorized Client Provider has breached a provision of the Law or these Regulations;
- (f) the licence holder or Authorized Client Provider has failed or refused to pay a fine imposed by the Commission in accordance with a provision of these Regulations;
- (g) the licence holder or Authorized Client Provider has been convicted of an indictable offence, felony or other crime the Commission, in its sole discretion, results in the licence holder or Authorized Client Provider no longer being suitable to hold an Interactive Gaming Licence or Client Provider Authorization;
- (h) the licence holder or Authorized Client Provider has contravened a term or condition of its Licence, authorization or permit or has failed to pay any fee that the licence holder or Authorized Client Provider is required to pay under these Regulations or as directed by the Commission;
- (i) the Authorized Client Provider has failed to discharge financial commitments to players or in relation to other aspects of the Authorized Client Provider's operations or the Commission has reason to believe that such failure is imminent;
- (j) the licence holder or Authorized Client Provider is insolvent, has been petitioned into bankruptcy or has applied to take advantage of any bankruptcy law;
- (k) the licence holder or Authorized Client Provider has a trustee, receiver, manager, liquidator or administrator appointed for it under the provisions of the laws of any jurisdiction;
- (l) the licence holder or Authorized Client Provider applies for, or is compelled by any means or for any reason, for a discontinuance or winding-up;
- (m) the Licence, authorization or permit was obtained by a materially false or misleading representation or in some other improper way; or
- (n) any other ground that the Commission, in its sole discretion, determines is material and sufficient for the purposes of this section.

146. If the Commission directs the licence holder, Authorized Client Provider or key person to rectify a matter and the licence holder, Authorized Client Provider or key person fails to comply with the direction within the time allowed for compliance, the Commission may, subject to the

provisions of these Regulations, revoke the Interactive Gaming Licence, Client Provider Authorization or Key Person Permit or suspend the licence, authorization or permit for such period of time and on such conditions for re-instatement as the Commission deems appropriate.

PART XVII: SHOW CAUSE PROCEDURES

147. Before amending, suspending, withdrawing or revoking an Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit, the Commission must give the holder a written notice (a “show cause notice”) that:
- (a) states the action (the “proposed action”) the Commission proposes taking;
 - (b) states the grounds for the proposed action;
 - (c) outlines the facts and circumstances forming the basis for the grounds;
 - (d) if the proposed action is suspension, states the proposed suspension period; and
 - (e) permits the affected person or persons to show within a stated period (the “show cause period”) why the proposed action should not be taken.
148. The show cause period will be established by the Commission and will be specified in the show cause notice. The Commission will determine the length of the show cause period which must, in no event, be less than thirty (30) days or longer than ninety (90) days from the date on which it is issued.
149. The Commission must promptly serve a copy of the show cause notice on:
- (a) each person (an “interested person”) the Commission believes has an interest in the Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit, if the Commission considers:
 - (i) the person’s interest may be affected adversely by the amendment, suspension or cancellation of the Licence, authorization or permit; and
 - (ii) it is otherwise appropriate in the circumstances to give copy of the notice to the person.
150. A person upon whom a copy of the show cause notice is served may, within the show cause period, make written representations about the matters raised in the notice to the Commission.
151. The Commission will consider all written representations (the “accepted representations”) made during the show cause period by:
- (a) the affected licence holder, Authorized Client Provider, Hosting

Authorization holder or key person; or

- (b) any interested person upon whom a copy of the 'show cause notice' is served.

152. Notwithstanding any other provision of these Regulations, the Commission may amend, suspend, withdraw or revoke an Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit immediately and without the necessity of a show cause period, if the Commission believes:

- (a) a sufficient ground exists to amend, suspend or revoke the licence, authorization or permit, and
- (b) the circumstances are so extraordinary that it is imperative to amend, suspend or revoke the licence, authorization or permit immediately to ensure:
 - (i) the public interest is not affected in an adverse and material way; or
 - (ii) the integrity of the conduct of interactive games by the licence holder, permit holder or Authorized Client Provider is not jeopardized in a material way.

153. An immediate amendment, suspension or revocation:

- (a) must be effected by written notice served on the affected holder (the "notice or immediate amendment, suspension or revocation"), and any interested person;
- (b) is effective from the moment the notice is served;
- (c) continues in effect until a hearing date or until the Commission otherwise directs;
- (d) will specify a show cause period.

154. Notwithstanding any other provision of these Regulations, a licence holder, Authorized Client Provider, Hosting Authorization holder or key person may voluntarily suspend or terminate his, her or its own Licence, authorization or permit by giving at least thirty (30) days written prior notice to the Commission.

155. A voluntary suspension of a Licence, authorization or permit:

- (a) is not effective unless accepted in writing by the Commission;
- (b) does not suspend, interrupt or negate the requirement to pay annual fees for that Licence, authorization or permit; and
- (c) unless the Commission otherwise directs, does not relieve the licence holder, Authorized Client Provider or key person from any other obligations under the Law or these Regulations.

156. In the event a Client Provider Authorization is revoked by the

Commission or voluntarily terminated by the Authorized Client Provider, the Authorized Client Provider must not remove any equipment or data from the Territory until it has:

- (a) satisfied all of its obligations to the Commission, including the payment of fees;
- (b) provided evidence, satisfactory to the Commission, that the Authorized Client Provider has satisfied its obligations to players, the licence holder and Approved Agents.

157. When the requirements of section 156 have been fulfilled, the Commission will provide the Authorized Client Provider and the licence holder with written notice confirming that the Authorized Client Provider may remove its equipment and data from the Territory.

PART XVIII: HEARINGS

158. A licence holder, Authorized Client Provider, Hosting Authorization holder or key person who has received a show cause notice or notice of immediate amendment, suspension or revocation, may, within the show cause period, request a hearing before the Commission to respond to the matters raised in the show cause notice.

159. Upon receiving a request for a hearing, the Commission will set a time and place for the hearing and will immediately notify the licence holder, Authorized Client Provider, Hosting Authorization holder or key person in writing (the "hearing notice") of time and place of the hearing.

160. At the hearing, the licence holder, Authorized Client Provider, Hosting Authorization holder or key person will have the opportunity to bring written and oral evidence to respond to the matters raised in the show cause notice.

161. The Commission may issue additional rules to govern the procedures to be followed at a hearing, in lieu of which, proceedings will follow accepted rules of fairness and natural justice.

162. In the event the affected licence holder, Authorized Client Provider, Hosting Authorization holder or key person fails or refuses to attend a hearing at the time and place set out in the hearing notice, the Commission may, in its sole discretion, take one or more of the following actions:

- (a) adjourn the hearing to another time and/or place;
- (b) confirm and/or continue the amendment, suspension or revocation;
- (c) impose a fine on the affected licence holder, Authorized Client Provider, Hosting Authorization holder or key person of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars;
- (d) issue such other directives as the Commission deems necessary.

163. If, after considering the accepted representations, or in the case of a hearing, the evidence adduced before it, if any, the Commission finds that:
- (a) a ground or grounds exist to amend, suspend or revoke the Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit; or
 - (b) the act, omission or other matter constituting the ground is of a serious and fundamental nature and either:
 - (i) the integrity of the conduct of interactive games by the licence holder or Authorized Client Provider may be jeopardized in a material way;
 - (ii) the public interest may be affected in an adverse or material way;
 - (iii) the credibility or reputation of the Commission, the Territory of any person or entity within the Territory is, or may be, negatively affected:

the Commission may amend or revoke the Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit or suspend the Licence, authorization or permit for such period of time and on such conditions of re-instatement as the Commission deems appropriate.

164. The Commission must promptly serve written notice of the decision to amend, suspend or revoke a Licence, authorization or permit, with reasons for the decision, on the affected holder.
165. A decision to amend, suspend or revoke a license, authorization or permit takes effect on the date and time specified by the Commission.
166. If a Licence, authorization or permit is under suspension, the Commission may, at the request of the licence holder, Authorized Client Provider, Hosting Authorization holder or key person, reconsider the duration of the suspension and will promptly inform the affected holder in writing of its decision.

Part XIX: APPROVED AGENTS

167. Upon receipt of a completed application in the approved form, the Commission may appoint one or more Approved Agents to carry out any of the following functions, for and on behalf of the Commission:
- (a) to investigate whether any person applying for or holding a Licence, authorization or permit is a suitable person for the purposes of these Regulations and submit a report of its findings to the Commission;
 - (b) to conduct control system reviews and ensure that any person applying for or holding any Licence, authorization or permit in the Territory has the necessary level of technical competence,

and submit a report of its findings to the Commission;

- (c) to assist in the application of a continuous compliance program, and submit reports of its findings to the Commission.

- 168. The Commission may appoint a person as an Approved Agent if it considers that the person has the necessary expertise and is otherwise suitable in consideration of the person's knowledge, skills, training, reputation, character, business reputation, current financial position and financial background.
- 169. The Commission may approve an investigative program in order to verify at any time whether a person is suitable to be an Approved Agent.
- 170. An Approved Agent will be subject to the directives of the Commission and may not act outside of the scope of authority contained in those directives.
- 171. The Commission may appoint a person as Approved Agent for a period of time not to exceed two (2) years, but such appointment may be renewed an unlimited number of times.

PART XX: CONTROL SYSTEMS

- 172. A control system submission must be in the approved form.
- 173. An Authorized Client Provider may conduct, or continue to conduct, an authorized game only if:
 - (a) the Authorized Client Provider is the owner or licensee of a control system that has been approved by the Commission; and
 - (b) the authorized game is conducted using the approved control system.
- 174. The Commission may approve such technical standards, the provisions of which are compatible with the Law and these Regulations, as are necessary to assist in assessing a control system submission and a control system change submission.
- 175. Without limiting the generality of the foregoing section 174, the Commission will approve the following technical standards:
 - (a) Internet Random Number Generator Requirements;
 - (b) Internet Report Requirements;
 - (c) Internet Network Infrastructure and Computer Systems Requirements;
 - (d) Internet Wagering Application Requirements;
 - (e) Internet System Integrity Requirements; and
 - (f) Internet Games, General Requirements.

176. An Authorized Client Provider may make a material change to an approved control system only:
- (a) if directed by, or with the approval of, the Commission; and
 - (b) in the way directed or approved by the Commission.
177. Failure to report a material change of an approved control system to the Commission as required by this Part may result in one or more of the following sanctions:
- (a) the immediate amendment, suspension or revocation of the Client Provider Authorization to which the change relates;
 - (b) for each material change that was not reported, a fine of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand (\$20,000.00) Dollars.
178. An Authorized Client Provider must make a submission (a “control system change submission”) to the Commission for approval for a material change to the Authorized Client Provider’s approved control system.
179. A control system change submission must be made in writing:
- (a) at least ninety (90) days before the Authorized Client Provider proposes to start conducting authorized games under the approved control system as proposed to be changed; or
 - (b) if the Commission, in its sole discretion, deems it appropriate, at a later date to be determined by the Commission.
180. A control system change submission must contain particulars of the proposed material changes of the Authorized Client Provider’s approved control system.
181. The Commission will, with the assistance of its Approved Agents, consider a control system submission or control system change submission and will, within a reasonable period of time:
- (a) approve the proposed control system or proposed change of the approved control system;
 - (b) refuse to approve the proposed control system or proposed change of the approved control system; or
 - (c) request such additional information, as the Commission may require, to either approve or disapprove the submission.
182. The Commission must promptly serve the Authorized Client Provider with a written notice of the Commission’s decision to approve or to refuse to approve a control system submission or control system change submission.
183. If the Commission refuses to approve a submission under this Part, it

must provide written notice stating the reasons for the decision and, if the Commission believes the submission can be rectified to enable the Commission to give an approval, the notice must also:

- (a) explain how the submission may be changed; and
- (b) invite the Authorized Client Provider to resubmit the submission after making the appropriate changes.

184. The Commission may, by written notice, direct the Authorized Client Provider to change its approved control system within the time, and in the manner stated in the notice and the Authorized Client Provider must comply with the direction within thirty (30) days of the date on which the notice is received or such other period of time as the Commission may specify.

185. If the Authorized Client Provider fails or refuses to comply with the Commission's direction made pursuant to the foregoing section 184, the approval for the Authorized Client Provider's control system will be terminated and its Client Provider Authorization may be suspended or revoked.

PART XXI: CONTINUOUS COMPLIANCE PROGRAM

186. All Authorized Client Providers will be subject to a continuous compliance program, pursuant to which Approved Agents will on a regular basis assess and report to the Commission whether:

- (a) the control system utilized by the Authorized Client Provider:
 - (i) is functioning in accordance with the standards against which the control system was measured at the time it was first approved;
 - (ii) has not been materially changed from the time it was first approved, unless such material change has also been approved;
- (b) there are any indications of money-laundering, fraud or collusion in relation to the Authorized Client Provider's operations;
- (c) the Authorized Client Provider is meeting its obligations to players in a timely manner;
- (d) the Authorized Client Provider's live output of authorized games is fair and random.

187. The design and implementation of a continuous compliance program for an Authorized Client Provider will take into consideration:
- (a) the features of the control system owned or licensed by the Authorized Client Provider;
 - (b) the volume and quality of data available for the time period in question;
 - (c) whether the Authorized Client Provider is subject to other independent auditing or monitoring programs;
 - (d) whether the Authorized Client Provider is a publicly traded company.
188. The Commission will discuss with an Authorized Client Provider the design and implementation of a suitable continuous compliance program, and any changes that may be required to the program from time to time. However, the Commission will, in its sole discretion, approve the continuous compliance program that will apply to an Authorized Client Provider and the Authorized Client Provider must comply with the approved program. An Authorized Client Provider is responsible for all costs associated with the design and implementation of an approved continuous compliance program – which costs are in addition to any fees, costs, fines or other charges for which an Authorized Client Provider is responsible under these Regulations.
189. All information obtained by an Approved Agent or the Commission as the result of a continuous compliance program will be held in the strictest confidence and will be destroyed five years after the date on which it is obtained.

PART XXII: ANTI-MONEY LAUNDERING

190. Authorized Client Providers must develop and implement Anti-Money Laundering (“AML”) and Counter Financing of Terrorism (“CFT”) policies that are approved and supported by its senior management which will provide reasonable security measures to prevent transactions which are potentially connected to money laundering and the financing of terrorism.
191. Authorized Client Providers must appoint a qualified person to act as an Anti-Money Laundering Compliance Officer.
192. AML and CFT control requirements between Authorized Client Providers and relevant service providers must be clearly defined.
193. An Authorized Client Provider’s terms and conditions will state the requirements applicable to funds transferred between players.
194. When a player deposit or payout exceeds Ten Thousand (\$10,000.00) Dollars, whether in a single transaction or a series of transactions which appear to be linked, an Authorized Client Provider will not accept the deposit or make the payout until the player has been positively identified.

195. An Authorized Client Provider's employees must be made aware of their personal obligations to detect and report criminal and suspicious behaviour to senior management as well as the dangers of 'tipping-off' and the procedures to be followed to ensure it does not happen.
196. An Authorized Client Provider must retain for a minimum period of five (5) years:
 - (a) records of a player's financial transactions; and
 - (b) player verification documents.
197. Funds will be remitted by an Authorized Client Provider to a player only through the same payment mechanism from which the funds originated, unless it has been established that the new payment mechanism is in the name of the same player.
198. Notwithstanding any other provision of these Regulations or the laws, regulations or procedures of any other jurisdiction, Authorized Client Providers must develop and implement measures to ensure that:
 - (a) no cash-ins will be made to a player's account where there is reason to suspect money laundering or terrorist activity;
 - (b) all information regarding changes to player details will be logged and appropriate verification documentation will be requested for significant changes, including but not limited to players' names and banking details;
 - (c) transfers of funds between player accounts will only be conducted through a formal documented process; and
 - (d) the recommendations of the Financial Action Task Force ("FATF"), particularly as they pertain to casinos and gaming establishments, are fully respected.
199. The Commission will cooperate with and, when appropriate, provide information concerning actual or potential money-laundering activities of which it becomes aware, to the Kahnawake Peacekeepers and/or such other domestic or international agency or agencies that are appropriate.

PART XXIII: PLAYER PROTECTION

200. An Authorized Client Provider must not allow anyone under the full age of eighteen (18) years to participate in operations related to the conduct of authorized games.
201. An Authorized Client Provider must take all reasonable and available measures to ensure that anyone under the full age of eighteen (18) years does not participate as a player in an authorized game. An Authorized Client Provider that willfully or carelessly allows a person under the full age of eighteen (18) years to participate as a player in an authorized game commits a breach of these Regulations and may have its Client Provider Authorization suspended or revoked and is subject to the imposition of a fine for each instance of such breach, of not less than One Thousand (\$1,000.00) Dollars and not more than Twenty Thousand

(\$20,000.00) Dollars.

202. As part of its control systems, an Authorized Client Provider is responsible for establishing effective systems to ensure players under the full age of eighteen (18) years do not participate in interactive gaming or interactive gaming activities that are under the Authorized Client Provider's control.
203. In the event the Commission is not satisfied with the systems established by an Authorized Client Provider in accordance with section 202, the Commission may direct the Authorized Client Provider to modify its systems or to implement new systems.
204. A Authorized Client Provider must return any money paid in respect of the use of its services by a player under the full age of eighteen (18) years as soon as is reasonably practicable.
205. A prize won by a player under the full age of eighteen (18) years by participation in an authorized game contrary to section 201, is forfeited to the Commission.
206. A person must not participate in an authorized game under a name or designation that is obscene, indecent or offensive.
207. An Authorized Client Provider may refuse to register a person as a player in an authorized game under a name that is obscene, indecent or offensive.
208. Authorized Client Providers may only register a person as a player on receipt of an application for registration in a form approved by the Commission as part of a control system submission.
209. Account opening documents must:
 - (a) clearly establish a legally enforceable contractual relationship between the Authorized Client Provider and the player; and
 - (b) not include any terms that are unfair or unreasonable to the player.
210. A player is limited to one player account for any website operated by an Authorized Client Provider.
211. A player's account must be established in a manner that allows a player only to:
 - (a) have direct access to funds in that account;
 - (b) use some or all of the funds in that account to play an authorized game offered by the Authorized Client Provider;
 - (c) obtain the balance of funds in that account and close the account; or
 - (d) obtain the whole or part of the amount paid into that account as

a prize in an authorized game or as authorized by the Authorized Client Provider or the Commission.

212. An Authorized Client Provider must not accept a bet or wager from a player in an authorized game unless a player's account has been established in the name of the player and there are adequate funds in the account to cover the amount of the bet or wager.
213. An Authorized Client Provider's website must display hyperlinks to full and complete rules of the authorized games being offered.
214. Rules must be posted in the English language and any other language the Authorized Client Provider deems appropriate.
215. A player who participates in an authorized game must comply with rules of play posted on the website of the Authorized Client Provider.
216. All games and betting events must follow a constant set of rules and must at no time deviate from those rules. A rule change will constitute a different game or betting event, although variations to the maximum number of bets per game are permitted.
217. An Authorized Client Provider must, at the request of a player in whose name a player's account is established, once the player's identity has been verified, remit funds in the player's account to the requesting player as soon as practicable after receipt of the request.
218. An Authorized Client Provider must ensure that:
 - (a) the Authorized Client Provider's liability for player balances is separately identifiable at all times; and
 - (b) player balances and prizes, bonuses and guaranteed amounts are covered by liquid funds at all times and that upon request the Commission is provided proof of same.
219. Any manual adjustments made to a player's account must be reviewed and authorized by the appropriately authorized management personnel.
220. An Authorized Client Provider that offers sportsbook wagering must have in place effective risk control mechanisms for managing events offered, bet sizes and prices, taking into consideration available liquid funds.
221. The licence holder will not accept cash from a player and funds may be received from the player only by any of the following methods:
 - (a) credit cards;
 - (b) debit cards or stored value accounts;
 - (c) electronic transfer;
 - (d) wire transfer;
 - (e) cheques;

- (f) any other method approved by the Commission.
222. Unless authorized by the Commission, an Authorized Client Provider must not provide credit to a player or a player's account or act as agent for a credit provider to facilitate the provision of credit to a player or a player's account.
223. An Authorized Client Provider must not have recourse to funds in a player's account except as follows:
- (a) to debit to the account, a wager made by the player or an amount the player indicates the player wants to wager in the course of an authorized game the player is playing or is about to play;
 - (b) to remit funds standing to the credit of the account to the player at the player's request;
 - (c) as otherwise authorized under these Regulations.
224. An Authorized Client Provider must have a written policy (the "dormant player account policy") which describes the process that will be used to clear dormant player accounts and the process that will be followed when a player requests a withdrawal from a dormant account that has been cleared.
225. The dormant player account policy must be included in terms and conditions that are posted on the Authorized Client Provider's site.
226. An Authorized Client Provider must maintain a complete and accurate record for all dormant player accounts that have been cleared. Any request from a player for a withdrawal from a dormant account that has been cleared will be addressed and resolved in accordance with the provisions of the dormant player account policy.
227. An Authorized Client Provider or an employee or other person engaged in duties related to the conduct of an authorized game must not, without authorization under the following section:
- (a) disclose information about the name, or other identifying particulars, of a player; or
 - (b) use information about a player for a purpose other than the purpose for which the information was given.
228. The disclosure of information, or its use for a purpose other than the purpose for which it was given, is authorized if the disclosure or use is:
- (a) reasonably necessary for the conduct of authorized games; or
 - (b) required for the administration or enforcement of the Law or these Regulations.
229. An Authorized Client Provider must take all reasonable steps to ensure

that the Authorized Client Provider's approved control system enables a player whose participation in an authorized casino game is, after he or she has made a bet or wager, interrupted by a failure of the Authorized Client Provider's system, a failure of the player's computer or for any other reason that prevents the player from continuing the authorized game, to resume, on the restoration of the system or computer, his or her participation in the authorized game, that was interrupted, as at the time immediately before the interruption without loss or penalty.

230. If an Authorized Client Provider's system does not enable a player to continue, after the restoration of the system or computer, with an authorized casino game interrupted by a failure of the Authorized Client Provider's system, the player's computer or for any other reason, without loss or penalty the Authorized Client Provider will:
- (a) ensure that the game is terminated;
 - (b) refund the amount of the wager to the player by placing it in the player's account;
 - (c) immediately inform the Commission of the incident;
 - (d) refrain from conducting further authorized games if such games are likely to be similarly affected.
231. All information required for completing an incomplete game must be recoverable by the Authorized Client Provider's system.

PART XXIV: COMPLAINTS AND DISPUTE RESOLUTION

232. All Authorized Client Providers must make adequate provision for receiving and addressing any complaints, including the provision of an appropriate dispute resolution process. The dispute resolution process must include an opportunity for the complainant to have recourse to the Commission.
233. All Authorized Client Providers must maintain adequate records of all complaints and disputes it receives and such records must be provided to the Commission in a timely fashion.
234. The Commission's logo must be prominently displayed on the Authorized Client Provider's website with a notification that complaints may be addressed directly to the Commission.
235. Any person who is not satisfied with the manner in which his or her complaint has been addressed by an Authorized Client Provider, or who prefers to make his or her complaint directly to the Commission, may submit the complaint to the Commission.
236. A complaint must be in writing and must contain clear and unequivocal information about the complainant's identity, and provide all the relevant details that gave rise to the complaint and the steps that were taken to address the complaint with the Authorized Client Provider.
237. Complaints must be submitted to the Commission not less than seven (7) days and not more than six (6) months after date on which the

subject matter of the complaint first arose.

238. As soon as practicable after a complaint is received, the Commission will inquire into the substance of the complaint and will undertake such investigations as may be required under the circumstances.
239. Unless the Commission in its sole discretion directs otherwise, the details of all complaints, including the identity of the complainant, will be provided to the Authorized Client Provider against which the complaint is made for response.
240. The Authorized Client Provider must provide to the Commission a full and detailed response to the complaint within seven (7) days, or such other time as the Commission may direct.
241. To assist in the resolution of a complaint, the Commission may request additional information from the complainant, the Authorized Client Provider or any third person, including an Approved Agent.
242. After its investigations of a complaint are complete, the Commission will:
 - (a) dismiss the complaint as unfounded;
 - (b) uphold the complaint in whole or in part;
 - (c) direct a Authorized Client Provider to take any steps the Commission may, in its sole discretion, deem necessary to resolve the complaint;
 - (d) direct a Authorized Client Provider to pay the costs incurred by the Commission in its investigation of the complaint; or
 - (e) issue any other directions or take any other steps as the Commission, in its sole discretion, deem appropriate under the circumstances.
243. Any communication received by the Commission, whether oral or written, that is abusive, vulgar, obscene, hateful or racially or ethnically objectionable will be immediately terminated or deleted, as the case may be.
244. Any communication received by the Commission, whether oral or written, that is threatening, harassing or otherwise unlawful will be immediately reported to the appropriate law enforcement authorities with a request that all available legal actions be instituted against the offender.
245. Notwithstanding any of provision of this Part, the Commission may dismiss a complaint without an inquiry or investigation if the Commission, in its sole discretion, is satisfied that a complaint is on its face vexatious, unfounded or does not fall within the Commission's scope of authority.
246. When the subject of a complaint concerns a player's request for a withdrawal being denied on the basis of allegations by the Authorized Client Provider that the player's initial deposit, balance and/or winnings

(the “disputed funds”) were acquired, in whole or in part, as a result of fraudulent activities, the following steps will be taken:

- (a) upon receipt of a request from the Commission, the Authorized Client Provider must provide the Commission detailed information substantiating the alleged fraudulent activities;
- (b) the Commission will review the information provided by the Authorized Client Provider but may, in its sole discretion, not reveal this information to the player so as not to compromise anti-fraud controls or jeopardize a potential criminal proceeding;
- (c) the Commission may request that the player provide additional information and/or respond to information provided by the Authorized Client Provider;
- (d) based on the information provided to it, the Commission will determine whether or not the Authorized Client Provider's allegations of fraudulent activities have been substantiated, to the Commission's satisfaction;
- (e) if the Commission is not satisfied that the Authorized Client Provider's allegations of fraudulent activities have been substantiated, the Commission will direct that the Authorized Client Provider remit the disputed funds, in whole or in part, to the player;
- (f) if the Commission is satisfied that the Authorized Client Provider's allegations of fraudulent activities have been substantiated:
 - (i) the Commission will direct the Authorized Client Provider as to the manner in which the disputed funds will be processed;
 - (ii) the Commission may advise the appropriate law enforcement authorities of the fraudulent activities in question and seek their further direction regarding the disposition of the disputed funds, including the player's initial deposit.

PART XXV: PRIZES

- 247. If a player in an authorized game conducted by an Authorized Client Provider wins a monetary prize, the Authorized Client Provider must immediately credit the amount of the prize to the player.
- 248. If a player in an authorized game conducted by an Authorized Client Provider wins a non-monetary prize the Authorized Client Provider must:
 - (a) have the prize delivered personally or by certified mail to the player; or
 - (b) give the player written notice of an address in the Territory at which the prize may be collected.

249. In the event a non-monetary prize in an authorized game conducted by an Authorized Client Provider is not capable of being delivered or is not collected within three months after notification of the place at which it may be collected, the Authorized Client Provider:
- (a) may dispose of the prize by public auction or tender or in some other way approved by the Commission;
 - (b) may pay for the disposal from the proceeds of sale; and
 - (c) must:
 - (i) pay the remainder of the proceeds into the relevant player's account;
 - (ii) if there is no current player's account, remit the remainder of the proceeds to the former player; or
 - (iii) if there is no current player's account and the Authorized Client Provider is unaware of the whereabouts of the former player, pay the remainder of the proceeds into an account established by the Commission and designated as the account to which payments are to be made under this subparagraph.
250. If a claim for a prize in an authorized game is made to an Authorized Client Provider within three years after the end of the game, the Authorized Client Provider must:
- (a) immediately try to resolve the claim; and
 - (b) if the Authorized Client Provider is not able to resolve the claim, by written notice (a "claim result notice") given to the claimant, promptly inform the claimant:
 - (i) of the Authorized Client Provider's decision on the claim; and
 - (ii) that the claimant may, within thirty (30) days of receiving the notice, ask the Commission to review the decision.
251. If the claim is not resolved, the claimant may ask the Commission to review the Authorized Client Provider's decision on the claim, or if the claimant has not received a claim result notice, to resolve the claim.
252. A request to the Commission under the foregoing section:
- (a) must be in the approved form; and
 - (b) if the claimant received a claim result notice, must be made within thirty (30) days after receiving the notice.

253. If a request is made to the Commission, the Commission must carry out such investigations the Commission considers necessary to resolve matters in dispute and render a decision in writing to the claimant and the affected Authorized Client Provider.
254. If an Authorized Client Provider has reason to believe that the result of an authorized game has been affected by an illegal activity or malfunction of equipment, the Authorized Client Provider may withhold a prize in the game.
255. If an Authorized Client Provider withholds a prize under the foregoing section 254, the authorized client provider must immediately give written notice to the player in question, with a copy to the Commission, that the prize is being withheld and the reasons for the withholding.
256. If an Authorized Client Provider withholds a prize under the foregoing section 254, the Authorized Client Provider:
- (a) must immediately give written notice to the Commission of the circumstances of the incident; and
 - (b) must not conduct a further game if a recurrence of the illegality or malfunction is likely.
257. After investigating the incident, the Commission may, by written notice to the Authorized Client Provider and the player in question:
- (a) direct the Authorized Client Provider to pay the prize; or
 - (b) confirm the Authorized Client Provider's decision to withhold the prize, but direct the Authorized Client Provider to refund amounts bet or wagered in the game and the Authorized Client Provider must comply with the direction.

PART XXVI: PLAYER LIMITATION AND EXCLUSION

258. A registered player may, by submitting a written notice to an Authorized Client Provider, set a deposit limit per day, week or month (a "Self-Limitation Request").
259. A Self-Limitation Request has effect upon its receipt by the Authorized Client Provider, or as soon as is practicable thereafter.
260. A registered player who has submitted a Self-Limitation Request, may, by providing written notice to the Authorized Client Provider, increase or revoke the deposit limit after a minimum waiting period of twenty-four (24) hours from the time of the request, except when the deposit limit was set to zero (0).
261. A registered player that has set a deposit limit to zero (0) may, by providing written notice to the Authorized Client Provider, change or revoke the deposit limit, but only after a minimum waiting period of six (6) months from the time of the request.

262. An Authorized Client Provider must not accept a deposit from a registered player contrary to a limit set out in a Self-Limitation Request.
263. A registered player may, by submitting written notice to an Authorized Client Provider, request that he or she be permanently excluded from accessing, depositing funds and from playing on any gaming system that is operated by the Authorized Client Provider (a "Direct Self-Exclusion Request").
264. When a registered player has requested that his or her deposit limit be set to zero (0), or has made a Direct Self-Exclusion Request, the Authorized Client Provider must immediately or as soon as is practicable:
- (a) lock the registered player's account and pay out any funds in the account, subject to appropriate and necessary checks and verifications;
 - (b) make all reasonable efforts to prevent marketing materials from being sent to the registered player;
 - (c) provide the registered player with contact information for an organization trained to assist problem gamblers, and encourage the registered player to contact this organization.
265. Any Authorized Client Provider, who knowingly or negligently breaches the provisions of this Part, is subject to a fine and such other penalties as the Commission may impose.
266. Any person (the "Requestor") may request that he or she be permanently excluded from accessing, depositing funds and from playing on gaming systems operated by all Authorized Client Providers that are licensed and regulated by the Commission (a "Comprehensive Self-Exclusion Request").
267. A Comprehensive Self-Exclusion Request must be submitted to the Commission in the form provided on the Commission's website.
268. As soon as is practicable after receiving a Comprehensive Self-Exclusion Request, the Commission will:
- (a) contact the Requestor by email or by telephone to:
 - (i) verify the Requestor's identity;
 - (ii) obtain any additional information the Commission may require to fulfill the request;
 - (iii) direct all Authorized Client Providers, in writing (the "Self-Exclusion Directive"), of a date and time at which it must complete such steps as are necessary to permanently exclude the Requestor from accessing, depositing funds and from playing on any gaming system that is operated by the Authorized Client Provider and regulated by the Commission and must:

- (1) lock the registered player's account and pay out any funds in the account, subject to appropriate and necessary checks and verifications;
 - (2) make all reasonable efforts to prevent marketing materials from being sent to the registered player; and
 - (3) provide the registered player with contact information for an organization trained to assist problem gamblers, and encourage the registered player to contact this organization.
 - (b) confirm to the Requestor, in writing, the date and time at which the Self-Exclusion Request has been put into effect (the "Time Stamp");
 - (c) provide the Requestor with contact information for agencies that offer assistance to problem gamblers.
269. A Comprehensive Self-Exclusion Request is effective from the date and time of the Time Stamp.
270. A Comprehensive Self-Exclusion Request and a related Self-Exclusion Directive are permanent and irrevocable.
271. Applicants for a Client Provider Authorization will be advised of all Comprehensive Self-Exclusion Directives then in existence.
272. Any Authorized Client Provider who knowingly or negligently breaches the provisions of a Comprehensive Self-Exclusion Request or a Self-Exclusion Directive is subject to a fine and such other penalties as the Commission may impose.
273. The effect of a Self-Exclusion Directive is limited to those gaming systems that are licensed and regulated by the Commission.
274. In the event an Authorized Client Provider finds that a player has deposited funds in contravention of the terms of a Self-Limitation Request, a Direct Self-Exclusion Request, a Comprehensive Self-Exclusion Request or an Order of Prohibition, as hereinafter defined (the "unauthorized deposit"):
- (a) the Authorized Client Provider must notify the Commission and the player within twenty-four (24) hours of finding the unauthorized deposit, and provide all relevant information pertaining thereto;
 - (b) the Authorized Client Provider will hold the unauthorized deposit in trust and not release the amount of the unauthorized deposit to the player until six (6) months after the date on which the unauthorized deposit was found;
 - (c) any winnings the player has accumulated as a result of the

unauthorized deposit will be forfeited to a third party charity selected by the Commission.

275. The Commission will use its best efforts to ensure a Self-Exclusion Request is affected. However, the Commission, its members, employees, advisors, agents and governing body are not responsible for any damages or losses that a Requestor or any other person may sustain as a result of, or related to, a Requestor's gaming activities, both before and after the date and time indicated in a Time Stamp.
276. Player self-limitation and self-exclusion procedures and conditions must be clearly communicated on the responsible gaming page of all Authorized Client Providers.
277. Authorized Client Providers must provide training to customer service employees on the issues of problem gaming and to ensure the prompt and efficient handling of correspondence relating to player self-limitation and self-exclusion. Refresher courses should be undertaken as and when needed.
278. An application may be made to the Commission in the approved form for an Order of Prohibition permanently excluding another person (the "Player of Concern") from accessing, depositing funds and from playing on any gaming system that is operated by an Authorized Client Provider.
279. The applicant must describe his or her relationship with the Player of Concern and provide detailed reasons for the application.
280. As soon as practicable after receipt of an application under section 278, the Commission will:
 - (a) contact the applicant to confirm his or her identity and relationship with the Player of Concern;
 - (b) provide the Player of Concern with written notice of the application which will include the name of the applicant and the stated reasons for the application; and
 - (c) invite the Player of Concern to make oral or written representations to the Commission in response to the application, and fix a date for the receipt of such representations.
281. The Commission will consider all representations from the applicant, the Player of Concern and any other person that the Commission considers appropriate.
282. After hearing and considering all representations, the Commission will decide whether or not to issue an Order of Prohibition.
283. An Order of Prohibition must provide a date and time from which it is effective and may include any conditions the Commission deems appropriate.
284. The Commission will only issue an Order of Prohibition if it is satisfied that to do so is in the best interests of the applicant, the Player of Concern and public order.

285. The Commission must serve a copy of its decision, with reasons, on the applicant and the Player of Concern, and, if the decision is to issue an Order of Prohibition, must also serve copies on all Authorized Client Providers.
286. An Authorized Client Provider upon whom a copy of an Order of Prohibition is served must, as of a date and time set out in the Order, complete such steps as are necessary to permanently exclude the Player of Concern from accessing, depositing funds and from playing on any gaming system that is operated by the Authorized Client Provider and regulated by the Commission and must:
- (a) lock the registered player's account and pay out any funds in the account, subject to appropriate and necessary checks and verifications;
 - (b) make all reasonable efforts to prevent marketing materials from being sent to the registered player; and
 - (c) provide the registered player with contact information for an organization trained to assist problem gamblers, and encourage the registered player to contact this organization.
287. Any Authorized Client Provider who knowingly or negligently breaches the provisions of an Order of Prohibition is subject to a fine and such other penalties as the Commission may impose.
288. The Commission may establish and maintain at a financial institution in or near the Territory, a fund (the "Gaming Addiction Research and Education Fund") to be used for the purpose of researching and educating the public about the risks associated with gaming and gaming addictions, and about available treatment programs.
289. The Commission will determine the types of programs and services to be funded by the Gaming Addiction Research and Education Fund.
290. The funds held in the Gaming Addiction Research and Education Fund will not be used to reimburse players for monies they may have lost through gaming activities.
291. The Gaming Addiction Fund will consist of contributions from licence holders and Authorized Client Providers and such other monies received by the Commission which the Commission, in its sole discretion, may designate for the purpose.
292. The Commission may establish incentive programs to encourage licence holders and Authorized Client Providers to contribute to the Gaming Addiction Research and Education Fund.
293. An Authorized Client Provider must display at all times, in a prominent place, on the home page of its website, a warning of the risks associated with gaming and information and links to other websites assisting compulsive gamblers.
294. Authorized Client Providers must ensure that the appropriate personnel are properly trained regarding the issues of problem gaming.

PART XXVII: RECORDS AND REPORTS

295. The Commission may, by written notice given to an Authorized Client Provider:
- (a) approve a place (the “approved place”) nominated by the Authorized Client Provider as a place for keeping the Authorized Client Provider’s gaming records;
 - (b) specify a gaming record of the Authorized Client Provider (an “exempt gaming record”) that is not required to be kept at the approved place;
 - (c) specify a gaming record of the Authorized Client Provider that may be kept temporarily at a place other than the approved place, and the period for which, or the circumstances in which, the record may be kept at the other place;
 - (d) approve the keeping of information contained in a gaming record in a way different from the way the information was kept when the record was being used by the Authorized Client Provider; or
 - (e) approve the destruction of a gaming record the Commission considers need not be kept.
296. A gaming record mentioned in subsection 295(c) is also an “exempt gaming record”:
- (a) for the period stated in the notice; or
 - (b) while the circumstances stated in the notice exist.
297. The Commission may specify a gaming record for subsection 295(b) only if the Commission considers there is sufficient reason for the record to be kept at a place other than the approved place.
298. Unless the information previously contained in the gaming record is kept in another way under an approval of the Commission, an Authorized Client Provider must keep a gaming record for five (5) years after the end of the transaction to which the record relates.
299. The foregoing section 298 does not apply to a gaming record that has been destroyed under an approval of the Commission.
300. An Authorized Client Provider must maintain an accounting system, for the operations conducted under the Client Provider Authorization, in a manner that allows for the timely preparation and audit of financial statements and accounts.
301. Without limiting the generality of the foregoing section 300, an Authorized Client Provider must keep accurate records of the following information:
- (a) all receipts from players and payments to players;

- (b) a complete history of all transactions that affect player balances for a period of 12 months.
- 302. Authorized Client Providers must implement back-up and recovery procedures to ensure data and information, including but not limited to logs and financial information, are backed up on a regular basis and can be restored in the event of a disaster.
- 303. Authorized Client Providers must ensure that:
 - (a) critical data and information is backed up and secured off-site on a daily basis;
 - (b) back-up and disaster recovery responsibilities and procedures between software providers and Authorized Client Providers are clearly defined.
- 304. An Authorized Client Provider must be able to demonstrate a financial reconciliation of the net movement of player deposits and withdrawals on its accounting systems to the relevant processor or bank transactions to ensure the accuracy and completeness of player account balances.
- 305. Authorized Client Providers must ensure that players are able to access their account history dating back for a minimum period of one month, including all deposits, withdrawals and payments.
- 306. An Authorized Client Provider's management is responsible for the content of annual financial statements and must provide formal confirmation on an annual basis that financial statements for operations conducted under the Client Provider Authorization are fairly presented in accordance with the relevant accounting framework and applicable laws.
- 307. The Commission may, in its sole discretion, direct an Authorized Client Provider to:
 - (a) provide the Commission a copy of its accounting records and financial statements; and
 - (b) undergo an external audit of its financial statements and accounts conducted by an independent audit firm that is approved by the Commission.
- 308. A licence holder or Authorized Client Provider must give any other records and reports to the Commission about the licence holder or Authorized Client Provider's operations, as the Commission may request in writing from time to time, for the purposes of these Regulations.
- 309. The reports referred to in the foregoing section 308 must be given at the times stated in a written notice given to the licence holder or Authorized Client Provider by the Commission and must be in a form approved by the Commission.

310. The Commission may, by written notice given to a licence holder or Authorized Client Provider, require the licence holder or Authorized Client Provider to give the Commission further information about a report within the time stated in the notice to help the Commission acquire a proper appreciation of the licence holder's or Authorized Client Provider's operations and the licence holder or Authorized Client Provider must comply with the requirement within the time stated in the notice.
311. A licence holder and an Authorized Client Provider must not give the Commission a report containing information, or further information about a report, the licence holder or Authorized Client Provider knows to be false, misleading or incomplete in a material way.

PART XXVIII: SYSTEM SECURITY MEASURES

312. Authorized Client Providers must document, communicate and review annually, or more often in the event of a material change, security policies and procedures.
313. Authorized Client Providers must implement security policies and procedures. Risk based internal and external security reviews must be conducted at least annually, or more often in the event of a material change.
314. Authorized Client Providers' must install, maintain and update on a regular basis, virus scanners and detection programs on all pertinent information systems.
315. Authorized Client Providers must implement controls for changes to information processing facilities and systems to reduce the risk of security or systems failures.
316. To maintain the security of player accounts, Authorized Client Providers must:
- (a) secure from unauthorized use, player credit card numbers stored on the Authorized Client Providers' system;
 - (b) require that all players have their identity verified with an account identifier and password combination, or by any other means that provides equal or greater security, prior to being permitted to access the system;
 - (c) ensure that all deposit, withdrawal or adjustment transactions are subject to strict security controls and are maintained in a system audit log.
317. Authorized Client Providers must ensure that all system users have their identity verified with an account verifier and password combination, or by any other means that provides equal or greater security, in accordance with a formalized internal policy, prior to being permitted to access the Authorized Client Providers' system.
318. Authorized Client Providers must ensure that security administration activities provide that access to applications, data and operating

systems is appropriately restricted to authorized personnel who access rights are commensurate with their job responsibilities and with management's control objectives.

- 319. Authorized Client Providers must have in place preventative and detective controls or technology to ensure that the prospect of cheating through collusion between players is prevented.
- 320. Authorized Client Providers must ensure that regular risk-based IT security reviews are conducted on data transmissions that carry sensitive player information and gaming data, where the Authorized Client Provider's management considers the need to be appropriate.

PART XXIX: ADVERTISING

- 321. No person may advertise itself as an Authorized Client Provider or that it is licensed or regulated by the Commission, if the person does not hold a valid Client Provider Authorization.
- 322. An Authorized Client Providers must not advertise an interactive game unless the game is an authorized game.
- 323. A person must not advertise an authorized game in the Territory without approval of the relevant Authorized Client Provider.
- 324. An Authorized Client Provider must ensure that any advertisement or form of marketing it authorizes or that is conducted on its behalf:
 - (a) is not indecent or offensive;
 - (b) is based on fact; and
 - (c) is not false, deceptive or misleading in a material way.
- 325. The Commission will, in its sole discretion, determine whether an advertisement or form of marketing contravenes any of the requirements in the foregoing section 324.
- 326. If the Commission determines that an advertisement or form of marketing does not comply with the foregoing section 324, the Commission may direct the Authorized Client Provider or person responsible for authorizing the advertisement or form of marketing to take the appropriate steps to stop or to change the advertisement or form of marketing.
- 327. The direction must:
 - (a) be in writing;
 - (b) state the grounds for the direction; and
 - (c) if it is a direction to change the advertisement or form of marketing, state how the advertisement or form of marketing is to be changed;

and the person to whom a direction is given must comply with the

direction.

PART XXX: OFFENCES

328. A person must not, in relation to an authorized game, dishonestly obtain a benefit by any act, practice or scheme or otherwise dishonestly obtain a benefit through the use of any device, equipment or software.
329. For the purposes of the foregoing section 328, a person obtains a benefit if the person obtains for themselves or another person, or induces a person to deliver, give or credit to the person or another person, any money, benefit, advantage, valuable consideration or security.
330. A person must not, directly or indirectly:
- (a) forge or alter a gaming record; or
 - (b) knowingly use or attempt to use a forged or altered gaming record.
331. A person must not impersonate an Authorized Client Provider, an Approved Agent or a member of the Commission or anyone acting in an official capacity under the Law or these Regulations.
332. Members of the Commission and anyone acting in an official capacity under the Law or these Regulations must not ask for, receive or obtain, or agree to receive or obtain, any money, property or benefit of any kind for himself or another person for an improper purpose.
333. A person must not give, confer or obtain, or promise or offer to give, confer or obtain, any money, property or benefit of any kind to, on or for a member of the Commission and anyone acting in an official capacity under the Law or these Regulations for an improper purpose.
334. For the purposes of the foregoing sections, "improper purpose" includes:
- (a) for the official to forego or neglect the official's functions under the Law or these Regulations;
 - (b) for the official to use, or take advantage of, the official's office improperly to gain a benefit or advantage for, or facilitate the commission of an offence against the Law or these Regulations; or
 - (c) to influence the official in the performance of the official's functions under the Law or these Regulations.
335. An employee, whether a key person or not, of an Authorized Client Provider must not take part in an authorized game if directly involved in functions related to the conduct of the game.
336. Any prize won by a person by participation in an authorized game contrary to the provisions of this Part, is forfeited to the Commission.

337. In the event an Authorized Client Provider, Approved Agent or any other employee or agent of the Commission becomes aware, or reasonably suspects, that:
- (a) a person, by a dishonest or unlawful act affecting the conduct or playing of an authorized game, has obtained a benefit for the person or another person; or
 - (b) there has been an unlawful act affecting the conduct or playing of an authorized game;
- within twenty-four (24) hours of becoming aware of, or suspecting, the dishonest or unlawful act, the person who becomes aware must give the Commission a written notice advising the Commission of all facts known about the matter.
338. A person must not state anything to an Inspector the person knows to be false or misleading.
339. A person must not give an Inspector a document containing information the person knows to be false, misleading or incomplete.
340. Section 339 does not apply to a person if the person, when giving the document:
- (a) tells the Inspector, to the best of the person's ability, how it is false, misleading or incomplete; and
 - (b) if the person has, or can reasonably obtain, the correct information and gives the correct information.
341. A person must not make an entry in a document required or permitted to be made or kept under these Regulations knowing the entry to be false, misleading or incomplete.
342. A person must not obstruct an Inspector in the exercise of a power or someone helping an Inspector in the exercise of a power.

PART XXXI: PENALTIES UPON CONVICTION FOR AN OFFENCE

343. The penalties set out in this Part are in addition to any other the Commission may impose under any other provision of these Regulations.
344. On conviction of a person for an offence against these Regulations, a court may order the forfeiture to the Commission of:
- (a) anything used to commit the offence; or
 - (b) anything else which is the subject of the offence.
345. A court may make the order:
- (a) whether or not the item has been seized; and
 - (b) if the item has been seized, whether or not the item has been

returned to its owner.

346. A court may make any order to enforce the forfeiture it considers appropriate.
347. On the forfeiture of an item to the Commission, the item becomes the Commission's property and may be dealt with by the Commission as the Commission considers appropriate.
348. Without limiting the generality of the foregoing section, the Commission may destroy the forfeited item or sell the forfeited item at public auction...
349. An offence against sections 328, 330, 331, 332 or 333 (dishonestly obtaining a benefit, forgery, impersonation or bribery) is an indictable offence and punishable as such.
350. Any other offence against these Regulations is a summary conviction offence and punishable as such.
351. A proceeding for an indictable offence or a summary conviction offence under these Regulations may be heard at the Court of Kahnawake or other court of competent jurisdiction.
352. If a Business Entity commits an offence against a provision of these Regulations, each of the Business Entity's key persons and directors also commits an offence, namely, the offence of failing to ensure that the Business Entity complies with the provision.
353. Evidence that the Business Entity has been convicted of an offence against a provision of these Regulations is evidence that each of the Business Entity's key persons and directors committed the offence of failing to ensure that the Business Entity complies with the provision.
354. It is a defense for a key person or director to prove:
 - (a) if the key person or director was in a position to influence the conduct of the Business Entity in relation to the offence-the key person or director exercised reasonable diligence to ensure the corporation complied with the provision; or
 - (b) the key person or director was not in a position to influence the conduct of the Business Entity in relation to the offence.
355. A person who attempts to commit an offence against the Law or these Regulations commits an offence.
356. Unless another fine is specifically provided, if the Commission, in its sole discretion determines a licence holder, Authorized Client Provider, key person or Approved Agent has breached any provision of these Regulations, the Commission may impose a fine for each instance of such breach of not less than One Thousand (\$1,000.00) Dollars and not

more than Twenty Thousand (\$20,000.00) Dollars.

357. Unless the Commission otherwise directs, all fines imposed by the Commission in accordance with the foregoing section 356 must be to the Commission, in full, not more than thirty (30) days after the date on which the fine is imposed, failing which the Commission may impose such additional sanctions, including additional fines, as it sees fit.

PART XXXII: COMMISSION MEMBERS AND OFFICIALS

358. Members of the Commission and Officials must not take part in any authorized game.

359. Members of the Commission and Officials must not:

- (a) accept or solicit employment from a licence holder, an Authorized Client Provider or an Approved Agent;
- (b) be an employee in any capacity of a licence holder, an Authorized Client Provider or an Approved Agent; or
- (c) knowingly have, directly or indirectly, a business or financial association with a licence holder, an Authorized Client Provider or an Approved Agent.

360. A person must not, for one year after ceasing to be a member of the Commission or acting as an Official, without the Commission's approval:

- (a) accept or solicit employment from a licence holder, an Authorized Client Provider or an Approved Agent;
- (b) be an employee in any capacity of a licence holder or an Authorized Client Provider or an Approved Agent; or
- (c) knowingly have, directly or indirectly, a business or financial association with a licence holder, an Authorized Client Provider or an Approved Agent.

361. In the event a member of the Commission or an Official knowingly has, directly or indirectly, a business or financial association or interest with another person who is an applicant for an Interactive Gaming Licence or Client Provider Authorization, immediately after the member of the Commission or Official becomes aware that the other person is an applicant for an Interactive Gaming Licence or Client Provider Authorization, the member or Official must give written notice of the Member or official's association or interest to the Commission and the Commission will by written notice given to the Member or official, direct the member or Official to end the association, or give up the interest, within the time stated in the notice. Failure to comply with such direction will result in the immediate termination of the member's position on the Commission or the Official's term of office or employment.

362. A member of the Commission and an Official is not civilly liable for an

act done, or omission made, honestly and without negligence under these Regulations.

PART XXXIII: INSPECTORS

363. The following persons are Inspectors for the purposes of these Regulations:
- (a) a member of the Commission;
 - (b) a person holding an appointment as an Inspector under this Part (an "appointed Inspector");
 - (c) a person who holds an appointment as an Inspector under the law of a comparable jurisdiction and is authorized in writing by the Commission to act as an Inspector under these Regulations (an "external Inspector").
364. The Commission may appoint a person as an Inspector if:
- (a) the Commission considers that the person has the necessary expertise to be an Inspector and;
 - (b) the Commission considers the person to be suitable to be an Inspector in consideration of:
 - (i) the person's character; and
 - (ii) the person's current financial position and financial background.
365. The Kahnawake Peacekeepers may investigate a person to help the Commission decide whether the person is suitable to be an Inspector.
366. The Commission may approve a program for investigating appointed Inspectors at any time in order to verify whether or not the person is suitable to be an Inspector.
367. If the Commission conducts an investigation with regard to an appointment of a person as an Inspector or the verification of an appointed Inspector, the Commission may request a criminal background check to be provided by the Kahnawake Peacekeepers or such other agency as the Commission may deem to be appropriate.
368. An Inspector has the powers given under these Regulations.
369. An Inspector is subject to the directives of the Commission in exercising those powers.
370. An Inspector's powers may be limited:
- (a) as a condition of the Inspector's appointment; or
 - (b) by written notice given by the Commission to the Inspector.

371. The Commission must issue each Inspector an identification card which:
- (a) includes a recent photograph of the Inspector;
 - (b) is signed by the Inspector and a Member of the Commission;
 - (c) includes an expiry date;
 - (d) identifies the person as an Inspector under these Regulations.
372. A person who ceases to be an Inspector must return the person's identification card to the Commission as soon as practical, but no later than fifteen (15) days after the date on which he or she ceased to be an Inspector.
373. An Inspector may exercise a power in relation to someone else only if the Inspector either produces the Inspector's identification card for the other person's inspection or has the identification card displayed so it is clearly visible to the other person.
374. If for any reason it is not practical to comply with the foregoing section before exercising the power, the Inspector must produce the identification card for the other person's inspection at the first reasonable opportunity.

PART XXXIV: POWERS OF AN INSPECTOR

375. An Inspector may, without the consent of the occupier of a premises or a warrant issued by a court of competent jurisdiction enter:
- (a) a public place;
 - (b) a place where an authorized game is being, or is about to be conducted; or
 - (c) a place where a licence holder, an Authorized Client Provider or an Approved Agent carries on business at any time when the place is open for carrying on business or otherwise open for entry.
376. Unless an Inspector is authorized to enter a place under the foregoing section, an Inspector may enter a place only if its occupier consents to the entry or if the entry is authorized by a warrant issued by the Court of Kahnawake or other competent authority.
377. This section applies if an Inspector intends to ask an occupier of a place to consent to the Inspector or another Inspector entering the place. Before asking for the consent, the Inspector must tell the occupier:
- (a) the purpose of the entry; and
 - (b) that the occupier is not required to consent.
378. If the consent is given, the Inspector may ask the occupier to sign an acknowledgement of the consent (the "Consent Acknowledgment").

379. The Consent Acknowledgement must state that the occupier has been told:
- (a) the purpose of the entry;
 - (b) that the occupier is not required to consent;
 - (c) the occupier gives the Inspector consent to enter the place and exercise powers under this Part; and
 - (d) the time and date consent was given.
380. If the occupier signs the Consent Acknowledgement, the Inspector must promptly give a copy to the occupier and to the Commission.
381. An Inspector may apply to the Court of Kahnawake or other competent authority for a warrant. The application must be sworn and state the grounds on which the warrant is sought.
382. The Court of Kahnawake or other competent authority may issue a warrant only if it is satisfied there are reasonable grounds for suspecting:
- (a) there is a particular item or activity that may provide evidence of an offence against the Law, these Regulations or other law applicable within the Territory; and
 - (b) the evidence is at the place or may be at the place within the next seven (7) days.
383. The warrant must state:
- (a) that an Inspector may with necessary and reasonable help and force enter the place and exercise the Inspector's powers under this Part and;
 - (b) the offence for which the warrant is sought;
 - (c) the evidence that may be seized under the warrant;
 - (d) the hours of the day or night when the place may be entered; and
 - (e) the date, within fourteen (14) days after the warrant's issue, the warrant ends.
384. For monitoring or enforcing compliance with the Law or these Regulations or any other law applicable within the Territory, the Inspector may:
- (a) search any part of the place;
 - (b) inspect, measure, test, photograph or film any part of the place or anything at the place;
 - (c) take an item, or a sample of or from an item, at the place for analysis or testing;

- (d) copy a document at the place;
- (e) access, electronically or in some other way, a system used at the place for conducting an authorized game or other interactive game or for administrative purposes related to the conduct of an authorized game or other interactive game;
- (f) take into or onto the place any person, equipment and materials the Inspector reasonably requires for exercising a power under this Part;
- (g) require the occupier of the place, or a person at the place, to give the Inspector reasonable help to exercise the Inspector's powers under paragraphs (a) to (f); or
- (h) require the occupier of the place, or a person at the place, to give the Inspector information to help the Inspector ascertain whether the Law, these Regulations or any other law applicable within the Territory is being complied with.

385. When making a requirement mentioned in subsection 384(g) or (h), the Inspector must warn the person it is an offence to fail to comply with the requirement.

386. An Inspector who enters places, that may be entered under this Part, without the consent of the occupier and without a warrant, may seize documents or items at the places if the Inspector reasonably believes the documents or items are evidence of an offence against the Law, these Regulations or any law applicable within the Territory.

387. If the Inspector enters the place with the occupier's consent, the Inspector may seize any document or item at the place if:

- (a) the Inspector reasonably believes the document or item is evidence of an offence against the Law, these Regulations or any law applicable within the Territory; and
- (b) seizure of the document or item is consistent with the purpose of entry as told to the occupier when asking for the occupier's consent.

388. If the Inspector enters the place with a warrant, the Inspector may seize the documents or items for which the warrant was issued.

389. The Inspector may also seize any other documents or items at the place if the Inspector reasonably believes:

- (a) the documents or items relate to an offence against the Law, these Regulations or any law applicable within the Territory; and
- (b) the seizure is necessary to prevent the documents or items being:
 - (i) hidden, lost or destroyed; or

- (ii) used to continue, or repeat, the offence.
- 390. The Inspector may seize documents or items at the place if the Inspector reasonably believes they are being, have been, or are about to be, used in committing an offence against the Law, these Regulations or any law applicable within the Territory.
- 391. Having seized documents or items, an Inspector may:
 - (a) move the documents or items from the place where they were seized (the "place of seizure") to a secure location under the exclusive control of the Commission; or
 - (b) leave the documents or items at the place of seizure but take reasonable action to restrict access to them.
- 392. If an Inspector restricts access to documents or items subject to seizure, a person must not tamper, or attempt to tamper with the documents or items, or any means used to restrict access to the documents or items, without an Inspector's approval.
- 393. To enable documents or items to be seized, an Inspector may require the person in control of them:
 - (a) to take them to a stated reasonable place by a stated reasonable time; and
 - (b) if necessary, to remain in control of them at the stated place for a reasonable time.
- 394. The requirement:
 - (a) must be made by notice in the approved form; or
 - (b) if for any reason it is not practical to give the notice, may be made orally and confirmed by notice in the approved form as soon as practical.
- 395. A further requirement may be made under this section about the same documents or items if it is necessary and reasonable to make the further requirement.
- 396. As soon as practical after an Inspector seizes documents or items, the Inspector must give a receipt for them to the person from whom they were seized.
- 397. However, if for any reason it is not practical to comply with the foregoing section, the Inspector must leave the receipt at the place of seizure in a conspicuous position and in a reasonably secure way.
- 398. The receipt must describe generally each document or item seized and its condition.
- 399. This section does not apply to documents or items if it is impractical or would be unreasonable to give the receipt, given the nature, condition

and value of the documents or items.

400. Documents or items that have been seized under this Part are forfeited to the Commission if the Inspector who seized the documents or items:
- (a) cannot find their owner, after making reasonable inquiries;
 - (b) cannot return them to their owner, after making reasonable efforts; or
 - (c) reasonably believes it is necessary to retain the documents or items to prevent them from being used to commit an offence against the Law, these Regulations or any law applicable within the Territory.
401. In applying the foregoing section:
- (a) subsection 400(a) does not require the Inspector to make inquiries if it would be unreasonable to make inquiries to find the owner; and
 - (b) subsection 400(b) does not require the Inspector to make efforts if it would be unreasonable to make efforts to return the documents or items to their owner.
402. If the Inspector decides to forfeit documents or items under section 400, the Inspector must tell the owner of the decision by written notice.
403. The foregoing section 402 does not apply if:
- (a) the Inspector cannot find the owner, after making reasonable inquiries; or
 - (b) it is impractical or would be unreasonable to give the notice.
404. The notice must state:
- (a) the reasons for the decision;
 - (b) that the owner may appeal against the decision to the Commission within thirty (30) days;
 - (c) how the appeal may be made; and
 - (d) that the owner may apply for a stay of the decision if the owner appeals against the decision.
405. In deciding whether inquiries or efforts are to be made or notice given about a document or item, the document or item's nature, condition and value must be considered.
406. If documents or items have been seized but not forfeited, the Inspector must return them to their owner:
- (a) at the end of six (6) months; or

- (b) if a proceeding for an offence involving the documents or items is started within six (6) months, at the end of the proceeding or any appeal from the proceeding.
- 407. A document or item must be returned to its owner once the Inspector determines its evidentiary value has ceased.
- 408. Until documents or items that have been seized are forfeited or returned, an Inspector must allow their owner to inspect them and, if it is a document, to copy it unless it is impractical or would be unreasonable to allow the inspection or copying.
- 409. The sections the follow apply if an Inspector reasonably believes:
 - (a) an item used in the conduct of an authorized game is unsatisfactory for the purpose for which it is used; and
 - (b) the continued use of the item may:
 - (i) jeopardize the integrity of the conduct of authorized games; or
 - (ii) adversely affect the public interest.
- 410. The Inspector may direct the person who has, or reasonably appears to have, authority to exercise control over the item to stop using the item, or allowing the item to be used, in the conduct of authorized games.
- 411. A direction given to a person under the foregoing section (a "Stop Direction") may be given orally or by written notice (a "Stop Notice").
- 412. If the direction is given orally, it must be confirmed by written notice (also a "Stop Notice") given to the person as soon as practical.
- 413. A Stop Direction may be given for an item at a place occupied by a licence holder, an Authorized Client Provider, an Approved Agent or other person involved within the Territory in the conduct of an authorized game.
- 414. A Stop Direction does not apply to a use of an item carried out for repairing or testing the item.
- 415. A Stop Notice must state:
 - (a) the grounds on which the Inspector believes the item is unsatisfactory; and
 - (b) the circumstances, if any, under which the Stop Direction may be cancelled.
- 416. A person to whom a Stop Direction is given must comply with the direction.
- 417. The following sections apply if:

- (a) an Inspector finds a person committing an offence against the Law, these Regulations or any law applicable within the Territory; or
 - (b) an Inspector finds a person in circumstances that lead, or has information that leads, the Inspector reasonably to suspect the person has just committed an offence against the Law, these Regulations or any law applicable within the Territory.
418. The Inspector may require the person to state the person's name and residential address.
419. When making the requirement, the Inspector must warn the person that it is an offence to fail to state the person's name or residential address.
420. The Inspector may require the person to give evidence of the correctness of the stated name or residential address if the Inspector reasonably suspects the stated name or address to be false.
421. A person of whom a requirement is made under the foregoing section must comply with the requirement.
422. An Inspector may require (a "Document Production Requirement") a person to produce or make available for inspection by the Inspector at a reasonable time and place nominated by the Inspector:
- (a) a document issued to the person under the Law, these Regulations or any law applicable within the Territory;
 - (b) a document required to be kept by the person under the Law, these Regulations or any law applicable within the Territory; or
 - (c) a document kept by an Authorized Client Provider about the conduct of authorized games by the Authorized Client Provider.
423. The Inspector may retain the original of the document or, in his sole discretion, copy it and return the original to the owner of the document.
424. If the Inspector copies the document, or an entry in the document, the Inspector may require the person responsible for keeping the document to certify the copy as a true copy of the document or entry.
425. An Inspector may require a person, or an executive officer of a corporation, of whom a Document Production Requirement has been made to appear before the Inspector to answer questions or give information about the document to which the Document Production Requirement relates.
426. An Inspector may require any of the following persons to appear before the Inspector to answer questions or give information about the operations of a licence holder or Authorized Client Provider:
- (a) the licence holder or Authorized Client Provider or, if the licence holder or Authorized Client Provider is a corporation, an executive officer of the licence holder or Authorized Client Provider;

- (b) an employee of the licence holder or Authorized Client Provider;
- (c) an agent for the licence holder or Authorized Client Provider or, if the agent is a corporation, an executive officer of the corporation;
- (d) an employee of an agent mentioned in paragraph (c);
- (e) another person associated with the operations or management of:
 - (i) the licence holder or Authorized Client Provider; or
 - (ii) an agent mentioned in paragraph (c).

427. A requirement made of a person under this section must:

- (a) be made by written notice given to the person; and
- (b) state a reasonable time and place for the person's attendance.

428. When making the requirement, the Inspector must warn the person that it is an offence to fail to comply with the requirement.

429. A person of whom a requirement is made under this Part must not:

- (a) fail to appear before the Inspector at the time and place stated in the notice imposing the requirement; or
- (b) when appearing before the Inspector:
 - (i) fail to comply with a requirement to answer a question or give information; or
 - (ii) state anything the person knows to be false or misleading.

PART XXXV: LIVE DEALER STUDIOS

417. The provisions of this Part apply to a live dealer studio operated or utilized by an Authorized Client Provider.

418. Dealers, croupiers and pit bosses will all complete appropriate training programs.

419. Controls will be in place for the appointment and dismissal of staff.

420. Scanners and card readers must be present to ensure that results are correctly entered.

421. All dealer and croupier activities will be supervised by pit bosses and made visually available to the players.

422. All video feeds and associated studio-to-player communication will be recorded. Game videos and communication logs will be immediately

retrievable from the archives.

423. Game videos and communication logs will be retained in archives for a minimum period of ninety (90) days.
424. All cards and game results must be clearly visible, together with a separate icon depicting a matching outcome on the player's screen.
425. Internal statistical results reviews must be regularly conducted to monitor game performance and payout percentages, and to detect irregularities and variances.
426. Final game results will be collated into statistics which can be analyzed for trends relating to games, staff and or locations in the gambling area.
427. Policies and procedures for conducting results reviews, and investigation procedures to be undertaken in the event that material variances are identified, must be documented.
428. Live dealer studio rules and controls will be implemented and documented, including:
 - (a) access to the premises of the live dealer studio;
 - (b) collusion, cheating and other dealer and croupier specific controls, including vocalizing and the use of hand signals;
 - (c) dealer and croupier shifts, rotations and break procedures;
 - (d) segregation of responsibilities in preparing for games prior to play, during play and after play;
 - (e) shuffling, presentation, card pickup and responding to dropped cards;
 - (f) requesting deck replacements;
 - (g) assistance to players;
 - (h) resolution procedures for irregularities and errors;
 - (i) equipment cleaning, maintenance and testing;
 - (j) tamper-proof card shoes and similar devices;
 - (k) destruction of worn out equipment;
 - (l) secure inventory storage when not in use;
 - (m) inventory tracking and audits of stored and live decks;
 - (n) record retention.

PART XXXVI: GENERAL MATTERS

429. Except as otherwise provided in these Regulations, a decision of the Commission made, or appearing to be made, under the Law or these Regulations about an Interactive Gaming Licence, a Client Provider Authorization, Hosting Authorization, a Key Person Permit or a person with an interest or potential interest in an Interactive Gaming Licence, Client Provider Authorization, Hosting Authorization or Key Person Permit, including but not limited to the granting, amending, suspending, withdrawing or revoking of a Licence, authorization or permit:
- (a) is final and conclusive;
 - (b) cannot be challenged, appealed against, reviewed, quashed, set aside, or called in question in another way; and
 - (c) is not subject to any writ or order of any court, a tribunal or another entity on any ground.
430. Service of any notice provided for in these Regulations may be affected by personal service, registered mail, facsimile transmission or email to the licence holder, Authorized Client Provider or their agent. Except as otherwise provided in these Regulations, other than for personal service, service is effective from the moment the notice is sent. Personal service is effective from the moment the notice is received by the licence holder or Authorized Client Provider.
431. A person who is, or was, a member of the Commission, an Official, an Inspector, employee or agent of the Commission, must not disclose information gained by the person in performing functions under these Regulations.
432. The foregoing section does not apply to the disclosure of information by a person:
- (a) for a purpose under the Law, these Regulations or any other law applicable within the Territory;
 - (b) with a lawful excuse; or
 - (c) pursuant to an approval of the Commission.
433. All amounts referenced in these Regulations and its Schedules are in US Dollars and are payable in US currency or the equivalent amount in Canadian Dollars (CAD), British pounds (GBP) or Euros (EUR). In the event a payment is made using non-US currency, the effective exchange rate that will be applied is the posted exchange rate on the day payment is received, plus an administration fee equal to 5% of the total payment.
434. The Commission may approve forms for use under these Regulations.
435. The Schedules referenced herein are an integral part of these Regulations.
436. These Regulations may be amended at any time by resolution of the Commission.

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