



BERMUDA

CASINO GAMING REGULATIONS 2018

BR 108 / 2018

TABLE OF CONTENTS

PART 1
PRELIMINARY

- 1 Citation
- 2 Interpretation
- 3 Goals

PART 2
FOREIGN CO-OPERATION ARRANGEMENTS

- 4 Making a foreign co-operation arrangement
- 5 Approval by the Minister

PART 3
GAMES, GAMING EQUIPMENT AND SUPPLIERS

Chapter 1 - Applications and publication of lists

- 6 Applications for approval under these Regulations
- 7 Use of information
- 8 Commission may set term and conditions of approval
- 9 Commission may require further information
- 10 Reimbursement of costs
- 11 Amendment and withdrawal of application
- 12 Publication of approval lists

Chapter 2 - Approval of games and rules

- 13 Application for approval of a game
- 14 Approval of a game

Chapter 3 - Approval of gaming equipment

CASINO GAMING REGULATIONS 2018

- 15 Approved gaming equipment
- 16 Application for approval of item of gaming equipment- original
- 17 Application for approval of item of gaming equipment- reciprocal recognition
- 18 Application for approval of model of gaming equipment
- 19 Approval of item or model of gaming equipment
- 20 Equipment standards for classes of gaming equipment
- 21 Technical standards and testing and certification requirements
- 22 Servicing, repairs and modifications
- 23 Sealed component of an item of gaming equipment
- 24 Provisions relating to approval
- 25 Request for an equipment standard or recognition of a model
- 26 Evaluation of request for equipment standard or recognition of a model
- 27 Independent certification reports
- 28 Servicing, repairs and modifications of approved gaming equipment
- 29 Suspension or cancellation of approval of gaming equipment

Chapter 4 - Requirements for gaming machines

- 30 Additional requirements for gaming machines
- 31 Supply, transport and storage of gaming machines

Chapter 5 - Approval of gaming suppliers

- 32 Application for approval as gaming supplier
- 33 Approval of gaming supplier
- 34 Assessment of applicant
- 35 Application for temporary approval as gaming supplier
- 36 Conditions on approved gaming supplier
- 37 Withdrawal of approval
- 38 Voluntary removal from approved supplier list

PART 4 EMPLOYEE LICENSING

- 39 Categories of special employee licence
- 40 Member of casino staff must hold a special employee licence
- 41 Functions limited to a person with a key employee licence
- 42 Positions limited to a person with a key employee licence
- 43 Functions limited to a person with a supervisory employee licence
- 44 Persons ineligible for a special employee licence
- 45 Application for and granting of a special employee licence
- 46 Provisional special employee licence
- 47 Amendment and withdrawal of application
- 48 Issue of badge
- 49 Casino operator to inform Commission of persons with influence
- 50 Duty to notify of changes in circumstances
- 51 Assessment of applicant
- 52 Statement of suitability by compliance committee
- 53 Variation of conditions of licence
- 54 Replacement special employee licence or badge

CASINO GAMING REGULATIONS 2018

- 55 Surrender of special employee licence
- 56 Obligations of holders of special employee licences
- 57 Ongoing monitoring of licensee
- 58 Suspension of special employee licence during investigation
- 59 Performance of functions in emergencies or for training purposes

PART 5

COMPLIANCE COMMITTEE OF A CASINO OPERATOR

- 60 Effect of establishment of compliance committee
- 61 Responsibilities of a compliance committee
- 62 Membership of compliance committee
- 63 Delegations
- 64 Changes to membership
- 65 Proceedings and meetings of compliance committee
- 66 Disciplinary action
- 67 Compliance plan
- 68 Complaints and disputes
- 69 Introductions of patrons
- 70 Whistleblowing

PART 6

REPORTABLE CONTRACTS

- 71 Meaning of reportable contract and party
- 72 Value of a contract
- 73 Meaning of notifiable contract
- 74 Meaning of controlled contract
- 75 Requirements for notifiable and controlled contracts
- 76 Reporting on contracts
- 77 Notification of notifiable and controlled contracts
- 78 Investigation and review of controlled and notifiable contracts
- 79 Suitability of parties to controlled contracts
- 80 Request for expedited consideration of controlled contract

PART 7

CASINO OPERATIONS

Chapter 1 - The Internal Control system

- 81 How these Regulations relate to section 130 of the Act
- 82 Applicable requirements for a casino operator
- 83 IC system must satisfy the applicable requirements
- 84 IC document
- 85 IC system must be operated in accordance with the IC document
- 86 Approval of relevant parts of IC document by Commission
- 87 Review of IC document
- 88 Commission codes, standards, specifications and guidelines
- 89 Elements of an IC system and requirements for an IC document
- 90 Provision of assistance to inspectors

CASINO GAMING REGULATIONS 2018

Chapter 2 - Organisation and administration of casino operator

- 91 Organisational structure of casino operator
- 92 Dealing with a change in key employees or other supervisory employees
- 93 Casino staff
- 94 Signatures

Chapter 3 - Accounts and financial transactions

- 95 Accounts
- 96 Authorisation of financial transactions
- 97 Maintenance of the bankroll
- 98 Handling of cash
- 99 Wire transfers
- 100 Mandatory count procedure
- 101 Tips and gratuities
- 102 Financial statements
- 103 Provision of statistical information to Commission

Chapter 4 - Record keeping

- 104 Relationship of this Chapter to IC system
- 105 Record keeping generally
- 106 Records to be available for inspection
- 107 Form of records
- 108 Accounting records
- 109 Corporate casino operators

Chapter 5 - Surveillance and security

- 110 Relationship of this Chapter to IC system
- 111 Security and surveillance staff
- 112 Surveillance system
- 113 Surveillance system requirements
- 114 Surveillance of particular areas
- 115 Surveillance monitoring room
- 116 Security alarms
- 117 Surveillance logs and records
- 118 Access to restricted areas
- 119 Transportation of high risk items
- 120 Keys required to secure certain assets
- 121 Emergency and maintenance procedures
- 122 Offences relating to surveillance system

Chapter 6 - Casino layout

- 123 Prescribed requirements
- 124 Relationship of this Chapter to IC system
- 125 Floor plan
- 126 Restricted gaming areas
- 127 Cage
- 128 Count room

CASINO GAMING REGULATIONS 2018

129	Multi-functional use of gaming areas
	<i>Chapter 7 - Gaming equipment</i>
130	Relationship of this Chapter to IC system
131	Possession and use of gaming equipment in a casino
132	Repair and maintenance of gaming equipment
133	Use of chips and wagering vouchers
134	Design of gaming tokens
135	Handling of gaming tokens
136	Tournament and discount tokens and wagering vouchers
137	Redemption of gaming tokens
138	Dice
139	Playing cards
	<i>Chapter 8 - Conduct of gaming and wagering</i>
140	Relationship of this Chapter to IC system
141	List of games to be offered
142	House rules
143	Information on minimum and maximum wagers
144	Jackpot and credit meter payouts and annuities
145	Table inventory
146	Patron transactions at tables
147	Distribution of chips to gaming tables
148	Removal of cash and chips from gaming tables
	<i>Chapter 9 - Anti-corruption measures</i>
149	Relationship of this Chapter to IC system
150	Anti-bribery and anti-corruption policy
	<i>Chapter 10 - Anti-money laundering and anti-terrorist financing measures</i>
151	Relationship of this Chapter to IC system
152	Anti-money laundering and anti-terrorist financing controls
153	Compliance Officer
154	Third party accreditation of AML/ATF policy
	<i>Chapter 11 - Protection of the vulnerable</i>
155	Protection of the vulnerable
	<i>Chapter 12 - Complimentary services</i>
156	Complimentary services

The Minister responsible for gaming, in exercise of the power conferred by section 196 of the Casino Gaming Act 2014, makes the following Regulations:

CASINO GAMING REGULATIONS 2018

PART 1 PRELIMINARY

Citation

1 These Regulations may be cited as the Casino Gaming Regulations 2018.

Interpretation

2 (1) In these Regulations—

“Act” means the Casino Gaming Act 2014;

“accredited jurisdiction” means any jurisdiction having a foreign casino regulatory body with whom the Commission has entered into an arrangement pursuant to section 190 of the Act;

“affiliate”, in relation to a company, means a second company that is affiliated with the company within the meaning given in section 86 of the Companies Act 1981;

“AML/ATF” means anti-money laundering and anti-terrorist financing;

“AML/ATF compliance policy” means the AML/ATF compliance policy set out in a casino operator’s IC document in accordance with regulation 152;

“applicable requirements”, in relation to a casino operator, means the requirements specified in regulation 82 (see also regulation 81(1));

“approved credit instrument” means a credit instrument approved by the Commission by written direction as an alternative to cash for the redemption of chips by patrons;

“approved gaming equipment” has the meaning given by regulation 15;

“approved gaming supplier” means a person approved by the Commission as a gaming supplier under regulation 33;

“approved supplier list” means the list of approved gaming suppliers published by the Commission in accordance with regulation 12(c);

“badge”, in relation to the holder of a special employee licence, means the badge issued by the Commission under regulation 48;

“bankroll” has the meaning given in regulation 97;

“cage” has the meaning given in regulation 127;

“casino staff”, in relation to a casino operator, means those individuals who perform functions that are part of the normal operation of the casino, including such ancillary functions as catering and cleaning, whether or not the person is directly employed by the casino operator;

CASINO GAMING REGULATIONS 2018

“compliance committee”, of a casino operator that is subject to a requirement under section 52A of the Act, means the compliance committee established in accordance with that section;

“compliance officer”, of a casino operator, means the person designated as the compliance officer pursuant to regulation 18A of the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing) Regulations 2008;

“compliance plan”, of a casino operator, means the compliance plan adopted as part of its IC document under regulation 67;

“complimentary services” has the meaning given in regulation 156(8);

“control programme” means gaming equipment that affects the result of a wager by determining win or loss—

- (a) including any software, source language or executable code associated with—
 - (i) a random number generation process;
 - (ii) the mapping of random numbers to game elements to determine game outcome;
 - (iii) the evaluation of randomly selected game elements to determine win or loss;
 - (iv) payment of winning wagers;
 - (v) game recall;
 - (vi) game accounting including the communication of meter and log information to a metering host system;
 - (vii) monetary transactions conducted through an electronic monitoring system;
 - (viii) software verification and authentication functions that are specifically designed and intended for use in a gaming machine;
 - (ix) monitoring and generation of game tilts or error conditions; and
 - (x) game operating systems that are specifically designed and intended for use in a gaming machine;
- (b) but not including software associated with the graphics, sound, animation or other such artistic attributes of a game that is used to provide entertainment that is not material to the game;

“controlled contract” has the meaning given in regulation 74;

“count room” has the meaning given in regulation 128;

“criminal conviction” does not include a summary conviction for a traffic offence;

CASINO GAMING REGULATIONS 2018

“discount token” means a gaming token that cannot be redeemed by the patron because it was issued free or at a discount;

“drop box” means—

- (a) with respect to table games, a locked container used to receive all money exchanged for chips at the table and all other items or documents pertaining to transactions at the table; and
- (b) with respect to slot machines, a container in a locked portion of the machine used to collect the money and chips retained by the machine that are not used to make automatic payouts from the machine;

“element”, in relation to an IC document, means an element of an IC document as listed in the table to regulation 89(3);

“equipment standard” has the meaning given in regulation 20;

“foreign co-operation arrangement” means an arrangement between the Commission and a foreign casino regulatory body for the exchange of information and provision of assistance made pursuant to section 190 of the Act;

“game outcome” means the final result of the wager;

“gaming and AML/ATF law”, in relation to a casino operator, means the gaming law, together with any enactment relating to anti-money laundering and anti-terrorist financing, and any instruments made under such an enactment, as they apply to the casino operator;

“gaming employee licence” means a special employee licence of that category (see regulations 39 and 40);

“gaming law”, in relation to a casino operator, means the Act and any instruments or written directions made under the Act, as they apply to the casino operator;

“gaming token” means a chip that is in the form of a token or plaque;

“gaming voucher” means a chip that is not in the form of a token or plaque;

“general security staff” means casino staff members who hold positions in the security department identified in accordance with regulation 91(4);

“house rules” has the meaning given in regulation 142;

“IC document” (for “internal control document”), in relation to a casino operator, has the meaning given in regulation 84;

“IC system” (for “internal control system”), in relation to a casino operator, has the meaning given in regulation 81;

“independent certification report” has the meaning given in regulation 27;

“independent testing laboratory” means a private testing laboratory that is an approved gaming supplier for the supply of independent testing services;

CASINO GAMING REGULATIONS 2018

“internal controls” means the controls, policies, rules, procedures and processes for the operations of a casino;

“key employee” means a person in a key employee position;

“key employee licence” means a special employee licence of that category (see regulations 39, 41 and 42);

“key employee position” means a position in the casino staff of a casino operator that can be held only by a person who holds a key employee licence;

“mantrap”, on a cage or count room, means an entry and exit system that satisfies the following—

- (a) a person must pass through two doors to enter or exit;
- (b) the doors have separate and distinct locking mechanisms, with—
 - (i) the outer door controlled by the surveillance staff; and
 - (ii) the inner door controlled by count staff who are not surveillance staff;
- (c) a person cannot pass through the second door until the first door is securely locked;

“modification” means, with respect to approved gaming equipment, any change or alteration to the equipment that affects the manner or mode of play, operation or function of the equipment—

- (a) including any change or alteration to the theoretical hold percentage or to a control programme;
- (b) but not including—
 - (i) the replacement in the gaming equipment of one component of approved gaming equipment with another component of approved gaming equipment;
 - (ii) the rebuilding of approved gaming equipment by an approved gaming supplier using components of approved gaming equipment; or
 - (iii) a change to software associated with the graphics, sound, animation or other such artistic attributes of gaming equipment used for the purposes of providing entertainment;

“modification approval number” means the number issued by the Commission pursuant to regulation 28;

“notifiable contract” has the meaning given in regulation 73;

“party” to a reportable contract, has the meaning given in regulation 71(2);

“payoff schedule”, for a gaming machine, means the list of winning symbols or hands which will result in a win for the player and the amount won for each combination;

- “position” means the particular role to which an application for a licence relates;
- “rake” means the amount or percentage of winnings taken by the casino operator as revenue in poker or other peer-to-peer games;
- “reportable contract” has the meaning given in regulation 71(1);
- “restricted area” has the meaning given in regulation 118;
- “restricted gaming area” has the meaning given in regulation 126;
- “restricted gaming equipment” has the meaning given in regulation 131(6);
- “rules of play” means those features of a game necessary for a reasonable person to understand how the game is played and such features include, but are not limited to—
- (a) help screens;
 - (b) award cards; and
 - (c) pay-line information,
- but do not include the inherent features of a game that a reasonable person should know or understand prior to initiating the game;
- “supervisory employee” means a member of staff in a supervisory employee position;
- “supervisory employee licence” means a special employee licence of that category (see regulations 39 and 43);
- “supervisory employee position” means a position in the casino staff of a casino operator that can be held only by a person who holds either a key employee licence or a supervisory employee licence;
- “surveillance monitoring room” in relation to casino premises of a casino operator, means the surveillance monitoring room required under regulation 112;
- “surveillance staff” means casino staff members who hold positions in the surveillance department identified in accordance with regulation 91(4);
- “surveillance system”, in relation to casino premises of a casino operator, means the surveillance system required under regulation 112;
- “tournament token” means a gaming token with no cash value that is used for tournament play;
- “variation”, in respect of a controlled or a notifiable contract, means a proposal to vary the contract;
- “wagering voucher” means—
- (a) a gaming voucher that is provided to a patron free or at a discount;
 - (b) a voucher, coupon or token that otherwise impacts on the odds or amount of a wager;

CASINO GAMING REGULATIONS 2018

“written direction” has the meaning given in paragraph (2).

(2) In a provision of these Regulations, a reference to a “written direction” of the Commission—

- (a) in relation to a casino operator or casino premises, is a reference to—
 - (i) a relevant direction in writing given to the casino operator under section 52 of the Act; or
 - (ii) a relevant provision of a code, a standard of performance or a specification, issued or approved under section 199 of the Act, that applies to the casino operator; and
- (b) in any other case, is a reference to a relevant provision of a code, a standard of performance or a specification, issued or approved by the Commission under section 199 of the Act.

Goals

3 The purpose of these Regulations is to contribute to the achievement of the following goals for the casino industry—

- (a) that all owners, vendors, managers, employees, and sources of finance should be free from any inappropriate past or present associations and behaviours, and uphold high ethical standards;
- (b) that casinos should possess sound operational and financial controls;
- (c) that all games offered should be fair, honest, and operate with a high level of security and integrity;
- (d) that all fees, taxes, and related payments, should be appropriately accounted for and paid;
- (e) that controls should be in place to protect the vulnerable.

PART 2

FOREIGN CO-OPERATION ARRANGEMENTS

Making a foreign co-operation arrangement

4 (1) Subject to regulation 5, a foreign co-operation arrangement shall be on such terms as the Commission thinks desirable.

(2) The Commission shall be entitled to instruct third parties to undertake, on behalf of the Commission, any enquiries or negotiations with respect to the entering into of a foreign co-operation arrangement.

(3) The Commission shall not enter into or comply with any term of a foreign co-operation arrangement where to do so would place the Commission in breach of any provision of Bermuda law.

Approval by the Minister

5 (1) The Commission shall not enter into a foreign co-operation arrangement unless the Minister has approved it.

(2) The Minister shall notify the Commission whether or not he approves an arrangement within—

- (a) 30 days after receiving a request from the Commission for such approval; or
- (b) such other period as the Minister may specify by written notification submitted to the Commission within 30 days of receiving a request from the Commission for such approval.

(3) Where the Minister declines to approve an arrangement, or a term of an arrangement, the Minister shall provide the Commission with a written explanation as to the reasons why the Minister has so declined.

PART 3

GAMES, GAMING EQUIPMENT AND SUPPLIERS

Chapter 1 - Applications and publication of lists

Applications for approval under these Regulations

6 In this Chapter, “application” means any of the following—

- (a) an application for approval of a game in accordance with regulation 13;
- (b) an application for approval of an item of gaming equipment, or of a model or class of gaming equipment, in accordance with regulation 16, 17 or 18;
- (c) an application for approval as a gaming supplier in accordance with regulation 32.

Use of information

7 For the purpose of determining the application, the Commission may, subject to the requirements of any other Act that relates to privacy or the use of personal information, consider any document given to the Commission for the purposes of the gaming law.

Commission may set term and conditions of approval

8 The Commission may grant the approval for such term and subject to such conditions as the Commission sees fit.

Commission may require further information

9 (1) The Commission may, by notice in writing, require an applicant or a person whose association with the applicant is, in the opinion of the Commission, relevant to the application to do any one or more of the following—

- (a) to provide, in accordance with directions in the notice, any information that is relevant to the investigation of the application and is specified in the notice;
- (b) to produce, in accordance with directions in the notice, any records relevant to the investigation of the application that are specified in the notice and to permit examination of the records, the taking of extracts from them and the making of copies of them;
- (c) to furnish to the Commission any authorisations and consents from other persons that the Commission directs for the purpose of enabling the Commission to obtain information (including financial and other confidential information) concerning the person and his associates.

(2) If the notice is not complied with, the Commission may refuse to further consider the application.

Reimbursement of costs

10 The person making the application shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of the evaluation of the application, including any investigations made by the Commission.

Amendment and withdrawal of application

11 (1) The application may be amended with leave of the Commission at any time prior to the determination of the application by the Commission.

(2) A request for withdrawal of an application may be made at any time prior to final determination of the application by the Commission by filing with the Commission a written request to withdraw.

(3) The Commission may in its discretion, refuse or grant the request for amendment or withdrawal of an application and may grant any request upon such terms as it sees fit.

(4) If the Commission grants a request to withdraw, it may provide that the applicant shall not be entitled to re-apply for the relevant approval for a specified period of up to two years from the date of withdrawal.

(5) Withdrawal of the application does not affect any liability of the applicant to reimburse the Commission for the costs of evaluation of the application.

Publication of approval lists

12 The Commission shall maintain on its website up-to-date lists of—

- (a) games approved by the Commission under section 91(1) of the Act, with their modes of play and rules;
- (b) equipment standards; and

- (c) approved gaming suppliers, specifying the services and gaming equipment for which they are approved.

Chapter 2 - Approval of games and rules

Application for approval of a game

13 (1) A casino operator may apply to the Commission, requesting it to approve a game under section 91(1) of the Act.

(2) An application shall be made in such form as the Commission may require, and shall include—

- (a) for a game that is not a variation of an existing listed game—
 - (i) the name of the game, and any other names by which it is commonly known;
 - (ii) a description of the game, including the mode of play and rules;
 - (iii) the proposed payoff schedule;
 - (iv) statistical evaluations of the theoretical hold percentage for the game;
 - (v) a description of any gaming equipment used in the game;
 - (vi) for a game played on a gaming machine, the model or other identifier of the gaming machine;
 - (vii) details of any other jurisdiction in which the game has been approved; and
 - (viii) any other information required by the Commission; and
 - (b) for a variation of an existing listed game—
 - (i) the name of the existing listed game; and
 - (ii) any variations in the details mentioned in subparagraph (a).
- (3) If the game, or game as varied, uses—
- (a) a gaming machine; or
 - (b) restricted gaming equipment;

that is not covered by an existing equipment standard, the application shall be accompanied by an application for the Commission to issue or approve an appropriate equipment standard.

(4) In this regulation—

“listed game” means a game that is on a list published under section 91(1)(b) of the Act for any casino operator;

“variation”, in relation to a listed game, means a change or alteration that affects the manner or mode of play, operation or function of the game, and includes—

- (a) the addition or removal of wagering opportunities; or
- (b) a change in the theoretical hold percentage of the game.

Approval of a game

14 The Commission may, at its discretion, grant or refuse an application under regulation 13.

Chapter 3 - Approval of gaming equipment

Approved gaming equipment

15 (1) For these Regulations, an item of gaming equipment is “approved gaming equipment” for a casino if—

- (a) the following apply—
 - (i) the item satisfies a relevant equipment standard; and
 - (ii) the Commission has approved the item for use in the casino in accordance with section 93(1) of the Act; or
- (b) the following apply—
 - (i) a relevant equipment standard includes provisions for approval of a model of gaming equipment in accordance with regulation 24(1)(e);
 - (ii) the item is of a model approved by the Commission for use by the casino operator; and
 - (iii) the casino operator has complied with the conditions for the item to be approved that are set in the equipment standard or were set by the Commission.

(2) The item ceases to be approved gaming equipment if—

- (a) the term of the approval expires; or
- (b) the approval lapses in accordance with these Regulations, the equipment standard, or any conditions imposed on approval by the Commission; or
- (c) the Commission cancels the approval.

(3) If the approval of the item is suspended by the Commission, the item is deemed not to be approved gaming equipment while the suspension is in place.

(4) Subject to the relevant equipment standards, or another written direction by the Commission, an item of gaming equipment that satisfies more than one equipment standard may be approved under any of them.

Application for approval of item of gaming equipment- original

16 (1) Where an item of gaming equipment satisfies an equipment standard, an application for approval of the item for use in a casino under section 93 of the Act may be made on the basis of satisfying the documentation requirements of the equipment standard.

- (2) The application shall be made in such form as the Commission may require.
- (3) The application shall include—
 - (a) the identification documentation required by the equipment standard;
 - (b) any other documentation required by the equipment standard;
 - (c) a declaration by the applicant stating that, to the best of the applicant's knowledge, the item of gaming equipment satisfies the equipment standard, and any other requirements of the gaming law; and
 - (d) any other items or information that the Commission by written direction requires.

Application for approval of item of gaming equipment- reciprocal recognition

- 17
- (1) This regulation applies where—
 - (a) an item of gaming equipment has been licensed or approved by the foreign casino regulatory body of an accredited jurisdiction for use in a casino in that jurisdiction; and
 - (b) the relevant equipment standard permits reciprocal recognition.
 - (2) An application for approval of the item for use in a casino under section 93 of the Act may be made as an application for reciprocal recognition of the approval.
 - (3) The application shall be made in such form as the Commission may require.
 - (4) The application shall include—
 - (a) a written certificate from the foreign casino regulatory body signed by an authorised officer establishing—
 - (i) that the item of gaming equipment has received necessary approvals for use in a casino under the applicable law for that jurisdiction and that the approvals are in good standing; and
 - (ii) the terms of any limitation or condition imposed by the foreign casino regulatory body on the approvals;
 - (b) a reference identification number, serial number or other documentation that will allow the Commission to confirm that the item of gaming equipment is the same one that was approved in the accredited jurisdiction;
 - (c) if the approvals in the accredited jurisdiction involved evaluation or certification of the gaming equipment when installed, evidence that operation of the equipment is not affected by being re-installed in a casino in Bermuda; and
 - (d) any other items or information required by the equipment standard or other written direction of the Commission.

CASINO GAMING REGULATIONS 2018

Application for approval of model of gaming equipment

18 (1) This regulation applies where a model of gaming equipment satisfies an equipment standard that provides for the Commission to approve the model in accordance with regulation 24(1)(e).

(2) An application for approval of items of the model for use in a casino under section 93 of the Act shall be made in such form as the Commission may require.

(3) The application shall include—

- (a) the identification documentation required by the equipment standard;
- (b) any other documentation required by the equipment standard;
- (c) a declaration by the applicant stating that, to the best of the applicant's knowledge, items of gaming equipment of that model satisfy the equipment standard, and any other requirements of the gaming law; and
- (d) any other items or information that the Commission by written direction requires.

Approval of item or model of gaming equipment

19 The Commission may, at its discretion, grant or refuse an application under regulation 16, 17 or 18.

Equipment standards for classes of gaming equipment

20 (1) For these Regulations, a set of provisions contained in a standard or standards issued or approved by the Commission under section 199 of the Act constitutes an "equipment standard" if—

- (a) it is described as equipment standard;
- (b) it is expressed to apply for the purposes of these Regulations and section 93 of the Act (which relates to approval of gaming equipment for use in a casino);
- (c) it specifies a class of gaming machines or other gaming equipment to which it applies;
- (d) it specifies the identifiers or other forms of documentation that establish that an item of gaming equipment belongs to the class (the "identification documentation");
- (e) it sets out any technical standards that must be satisfied for approval by the Commission;
- (f) it sets out the requirements for approval, including requirements for documentation to accompany an application; and
- (g) it sets out conditions for maintaining an approval, including a maximum term for an approval.

(2) This regulation does not limit the matters that an equipment standard may address.

Technical standards and testing and certification requirements

- 21 (1) An equipment standard may set out requirements for—
- (a) testing, including testing of installed equipment or of a system that includes the installed equipment; or
 - (b) reports or certification, including by means of independent certification reports.
- (2) An equipment standard may recognise specified models of gaming equipment—
- (a) as satisfying the standard, or specified requirements of the standard; or
 - (b) for which specified reports or certification are not required.

Servicing, repairs and modifications

- 22 (1) An equipment standard may set out requirements relating to—
- (a) maintenance, repairs and replacement of components, including any certification requirements; or
 - (b) modifications, including any certification requirements.
- (2) The equipment standard may specify conditions for an item of gaming equipment to be serviced, repaired or modified without requiring re-approval.
- (3) Unless the equipment standard or another written direction of the Commission provides otherwise, the approval of an item of gaming equipment lapses if—
- (a) the item is serviced, repaired or modified; or
 - (b) the item ceases to satisfy the equipment standard.

Sealed component of an item of gaming equipment

23 An equipment standard may set out requirements relating to the sealing of any components of the gaming equipment, and to subsequent examination of the sealed components.

Provisions relating to approval

- 24 (1) An equipment standard may make provision for the Commission to—
- (a) provide reciprocal recognition of an approval that was given in an accredited jurisdiction;
 - (b) accept reports, certification or other documentation in relation to an item or items of gaming equipment from a gaming supplier in advance of supply of the item or items to a casino operator;

- (c) grant conditional or provisional approval;
- (d) require an inspector to be satisfied as to the identity and configuration of an item of gaming equipment before approval is granted or finalised;
- (e) approve a model of gaming equipment for use by a casino operator, setting conditions that the casino operator must comply with in relation to individual items for the items to be approved.

(2) The equipment standard may—

- (a) provide for a standard term of approval;
- (b) impose conditions on approval; or
- (c) impose conditions that must be satisfied for approval to be maintained.

(3) The equipment standard does not limit the power of the Commission to grant an approval for a shorter period than provided in the equipment standard, or to impose additional conditions on approval or maintenance of approval.

Request for an equipment standard or recognition of a model

25 (1) A casino operator or an approved gaming supplier may request the Commission to—

- (a) issue or approve an equipment standard; or
- (b) recognise a model of gaming equipment in an existing standard in accordance with regulation 21(2).

(2) A request for an equipment standard shall be made in such form as the Commission may require and shall include—

- (a) specifications of the model or class of gaming equipment to be covered;
- (b) a comprehensive and accurate description, in both technical and lay language, of the manner in which the gaming equipment operates or, if similar gaming equipment is covered by an existing standard, of the differences from that gaming equipment;
- (c) proposed content of the equipment standard;
- (d) if there is no similar existing equipment standard—
 - (i) a detailed justification of the proposed content; and
 - (ii) a reference to any similar equipment standard in an accredited jurisdiction;
- (e) if there is a similar existing equipment standard—
 - (i) a reference to the existing equipment standard; and
 - (ii) a detailed justification for the differences from the content of the existing equipment standard; and

CASINO GAMING REGULATIONS 2018

- (f) any other items or information that the Commission by written direction requires.
- (3) A request for recognition of a model of gaming equipment shall be made in such form as the Commission may require and shall include—
 - (a) evidence, including relevant reports and certification, that the model satisfies standard, or the specified requirements of the standard; and
 - (b) any other items or information that the Commission by written direction requires.

Evaluation of request for equipment standard or recognition of a model

- 26 (1) For the purpose of evaluating a request for an equipment standard or recognition of a model of gaming equipment, the Commission may—
- (a) require the person making the request to provide a sample or samples of the gaming equipment for evaluation by the Commission or a person nominated by the Commission; and
 - (b) require that person, or the casino operator of the casino where the equipment is tested in accordance with this regulation, to provide any information, answer any questions, and certify any matters that the Commission requires.
- (2) If the Commission thinks fit after a preliminary evaluation, it may allow or require, under such terms and conditions as it thinks fit, one or more items of the gaming equipment to be tested in use at a casino.
- (3) A test period shall not be more than 90 days, but may be renewed on the agreement of the Commission and the casino operator.
- (4) The gaming equipment shall not be modified during the test period without the prior approval of the Commission.
- (5) The Commission may terminate the test at any time.
- (6) The person making the request shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of the evaluation of the request, including any investigations made by the Commission.

Independent certification reports

- 27 (1) For regulation 21, an “independent certification report” for an item of gaming equipment covered by an equipment standard is a document prepared by an approved test service provider that—
- (a) identifies the approved test service provider and provides contact details for inquiries about the report;
 - (b) specifies the tests and analyses performed in relation to the item;

- (c) reports in detail on the process and results of the tests and analyses;
 - (d) certifies that the item met the requirements of the equipment standard in relation to those tests and analyses; and
 - (e) includes any other material required by the equipment standard or any other written direction of the Commission.
- (2) For paragraph (1), the details of tests and analyses shall include—
- (a) the location of any testing facilities used;
 - (b) the date the equipment was received by the test provider;
 - (c) the dates the gaming equipment testing was performed;
 - (d) the part and version number of the gaming equipment submitted for certification;
 - (e) a description of the configuration of the gaming equipment as tested and the scope of testing performed;
 - (f) identification of the testing document by name and version number;
 - (g) a description of any issues found during the testing process and the resolution thereof; and
 - (h) identification of any modifications made by the gaming supplier to the gaming equipment during the testing process.

Servicing, repairs and modifications of approved gaming equipment

28 (1) A casino operator shall ensure that an item of approved gaming equipment is not serviced, repaired or modified except by an approved gaming supplier.

- (2) If, following the service, repair or modification, the item of equipment—
- (a) no longer satisfies the equipment standard under which it was previously approved; but
 - (b) satisfies a different equipment standard,

approval may be obtained in accordance with the other equipment standard.

(3) If the item of equipment is to be re-approved under the same equipment standard, then, unless the equipment standard or another written direction by the Commission provides otherwise—

- (a) the application must include a detailed description of the service, repair or modification and a document certifying that it was performed by an approved gaming supplier; and
- (b) the documentation on testing, reports and certification to be included in the application needs to cover only those matters affected by the service, repair or modification.

(4) When granting approval under this regulation in relation to a modification, the Commission shall issue a modification approval number to the approved gaming supplier performing the modification.

(5) The approval is conditional on the modification approval number being affixed to—

- (a) that part of the gaming equipment that has been modified, or as nearly as practicable; and
- (b) for a gaming machine, all programme storage media that—
 - (i) is placed in the gaming machine; and
 - (ii) cannot be altered without removing it from the machine.

Suspension or cancellation of approval of gaming equipment

29 (1) The Commission may, by notice to the casino operator, suspend or cancel the approval of an item of approved gaming equipment if—

- (a) it is not satisfied that the item satisfies the relevant equipment standard; or
- (b) it is not satisfied that it is being operated in accordance with any conditions of the approval or in the equipment standard.

(2) If the item is on casino premises, the Commission may also provide by written direction that the item is not authorised to be on the casino premises, and may therefore be seized in accordance with section 16 of the Act.

(3) Unless a written direction of the Commission provides otherwise, a suspension operates until the Commission notifies the casino operator that it is lifted or that the approval is cancelled.

Chapter 4 - Requirements for gaming machines

Additional requirements for gaming machines

30 (1) Unless it provides otherwise, an equipment standard that relates to model or class of gaming machines is deemed to include the requirements of this regulation.

(2) A gaming machine shall have a serial number affixed permanently in lettering no smaller than five millimetres on the metal frame or other permanent component of the machine and on a removable metal plate attached to the cabinet of the machine.

(3) A gaming machine shall—

- (a) provide a Return to Player that is not less than 83 percent;
- (b) determine game outcome solely by the application of chance or a combination of the skill of the player and chance;
- (c) display in an accurate and non-misleading manner—

CASINO GAMING REGULATIONS 2018

- (i) the mode and rules of play;
 - (ii) the amount required to wager on the game or series of games in a gaming session;
 - (iii) the amount to be paid on winning wagers;
 - (iv) any rake or fee charged to play the game or series of games in a gaming session;
 - (v) any monetary wagering limits for games that are representative of live games;
 - (vi) the total amount wagered by the player;
 - (vii) the game outcome; and
 - (viii) such additional information sufficient for the player to reasonably understand the game outcome; and
- (d) satisfy all applicable technical standards in the gaming law.

(4) A gaming machine that offers games incorporating an element of skill shall indicate prominently on the gaming machine that the outcome of the game is affected by player skill.

- (5) Subject to paragraph (6), the—
- (a) mode of play;
 - (b) rules of play; and
 - (c) probability and award of a game outcome,

in respect of a gaming machine shall not be changed during a gaming session.

(6) Paragraph (5) shall not apply in respect of a gaming session involving a series of games, and in such cases notice of any change in the—

- (a) mode of play;
- (b) rules of play; or
- (c) probability and award of a game outcome,

shall be prominently displayed to the player between games.

(7) All possible game outcomes shall be available upon the initiation of each play of a game upon which a player commits a wager on a gaming machine.

(8) For a gaming machine that is representative of a live game, the mathematical probability of a symbol or other element appearing in a game outcome shall be equal to the mathematical probability of that symbol or element occurring in the live game.

- (9) Where several gaming machines are connected to the same payoff schedule—
- (a) if the gaming machines are played using the same denomination, they shall have equivalent odds of winning the payoff schedule based, as applicable,

CASINO GAMING REGULATIONS 2018

on either or both of the combined influence of the attributes of chance and skill; and

- (b) if the gaming machines are played using different denominations—
 - (i) they shall equalise the expected value of winning the payoff schedule on the various denominations by setting the odds of winning the payoff schedule in proportion to the amount wagered based, as applicable—
 - (A) on either or both the combined influence of the attributes of chance and skill; or
 - (B) by requiring the same wager to win the payoff schedule regardless of the denomination; and
 - (ii) the method of equalising the expected value of winning the payoff schedule shall be conspicuously displayed on each gaming machine connected to the payoff schedule.

(10) A gaming machine shall not—

- (a) alter any function of the gaming machine based on the actual hold percentage;
- (b) offer a play with odds greater than 100 million to 1.

(11) For the purposes of determining which games are presented to or are available for selection by a player, a gaming machine may use any specific and verifiable fact concerning a player or group of players that is based upon objective criteria relating to the player or group of players, including, but not limited to—

- (a) the frequency, value or extent of any predefined commercial activity;
- (b) any subscription to or enrolment in particular services;
- (c) the use of a particular technology concurrent with the playing of a gaming machine;
- (d) the skill of the player;
- (e) the skill of the player relative to the skill of any other player participating in the same game;
- (f) the degree of skill required by the game; or
- (g) any combination of (a) to (f), inclusive.

(12) In this regulation—

“equalise” means bring within a five percent tolerance for expected value and no more than a one percent tolerance on Return to Player or payback; and

“gaming session” means the period of time that—

- (a) begins when a player initiates a game or series of games on a gaming machine by placing a wager; and

- (b) ends at the time of a final game outcome for that game or series of games.

Supply, transport and storage of gaming machines

- 31 (1) A gaming vendor shall not hold a gaming machine unless—
- (a) it is approved gaming equipment; or
 - (b) it is held in accordance with—
 - (i) a written direction of the Commission (within the meaning of regulation 2(2)); or
 - (ii) a written authorisation of the gaming vendor by the Commission.
- (2) A gaming vendor or a casino operator shall not supply a gaming machine except to premises of a person who can lawfully hold the gaming machine.
- (3) Gaming vendors shall be responsible for—
- (a) the secure storage and control of gaming machines during transport to a casino premises; and
 - (b) documenting any acknowledgment of receipt of delivery to such premises.

Chapter 5 - Approval of gaming suppliers

Application for approval as gaming supplier

- 32 (1) A person may apply to the Commission requesting approval as—
- (a) a supplier of—
 - (i) specified models or classes of gaming machines; or
 - (ii) specified models or classes of gaming equipment; or
 - (b) a supplier of other specified services in relation to such gaming machines or gaming equipment, such as manufacture, testing, maintenance, repair or modification.
- (2) An application shall be made in such form as the Commission may require and shall—
- (a) specify the model or class of gaming machine or gaming equipment;
 - (b) specify the services that the applicant proposes to provide;
 - (c) be accompanied by evidence that the applicant is a suitable person to perform those activities in relation to that gaming equipment, having regard to the matters set out in regulation 34; and
 - (d) be accompanied by any other documents or information that the Commission by written direction requires.
- (3) The application may propose conditions to be attached to the approval.

CASINO GAMING REGULATIONS 2018

(4) The applicant shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of determining the application, including the costs of any investigation undertaken by the Commission.

Approval of gaming supplier

33 (1) The Commission may, at its discretion, grant or refuse an application under regulation 32.

(2) The Commission shall not grant an approval unless the Commission is satisfied that the applicant, and each associate of the applicant, is a suitable person to be concerned in or associated with the approved supply of goods or services.

(3) A person who is approved by the Commission under this regulation to provide the services in relation to gaming machines mentioned in section 95 of the Act is an approved gaming vendor for that section.

(4) The approved supplier list shall identify approved suppliers of gaming machines and related services as approved gaming vendors for section 95 of the Act.

Assessment of applicant

34 (1) In this regulation, for an applicant that is a natural person, a reference to an associate includes a reference to the applicant.

(2) The matters on which the Commission is to base an assessment of an applicant for the purposes of regulation 33 shall include whether—

- (a) each associate is of good repute, having regard to character, honesty and integrity;
- (b) each associate is a fit and proper person to be concerned with or associated with the supply of gaming equipment and related services, in accordance with the minimum criteria that are set out in section 11A of the Proceeds of Crime (Anti-Money Laundering and Anti-Terrorist Financing Supervision and Enforcement) Act 2008;
- (c) each associate is of sound and stable financial background;
- (d) in the case of an applicant that is not a natural person, the applicant has, or has arranged, a satisfactory ownership or corporate structure;
- (e) the applicant has or is able to obtain financial resources that are adequate to ensure the financial viability of the business providing the proposed supply of goods or services, and the services of persons who have sufficient experience in the management and operations of such a business;
- (f) the applicant has the capacity to successfully operate the business providing the proposed supply of goods or services;
- (g) any associate has any business association with any person, who or which, in the opinion of the Commission, is not of good repute having regard to

character, honesty and integrity or has undesirable or unsatisfactory financial resources;

- (h) each director, partner, trustee, executive officer and secretary and any other officer or person determined by the Commission to be associated or connected with the ownership, administration or management of the operations or business of the applicant is a suitable person to act in that capacity;
- (i) any other matter that the Commission considers relevant to maintaining the integrity of the gaming industry in Bermuda.

(3) Where the Commission determines that an associate of the applicant is unsuitable to be concerned in or associated with the business of the applicant, the Commission may require the applicant to terminate the relationship with the associate.

(4) In the event that an applicant fails to comply with a direction given pursuant to paragraph (3), the Commission may refuse the application or may revoke any approval already granted.

(5) The burden of satisfying the Commission that the applicant is a suitable person is on the applicant.

Application for temporary approval as gaming supplier

35 (1) A person who makes an application to the Commission for approval under regulation 32 (the "main application") may, at the same time, request temporary approval as supplier of some or all of the goods or services covered by the main application on the basis that it is licensed or approved by the foreign casino regulatory body of an accredited jurisdiction as a supplier of such goods or services.

(2) The request shall be made in such form as the Commission may require and shall—

- (a) specify the goods or services to be covered by the temporary approval; and
- (b) be accompanied by a written certificate from the foreign casino regulatory body signed by an authorised officer establishing that the applicant holds a licence or approval in good standing that covers those goods or services.

(3) As part of the request for a temporary approval, the applicant shall provide a sworn statement which shall include—

- (a) details of the criminal convictions in any jurisdiction of—
 - (i) the applicant; and
 - (ii) any officers and directors of the applicant;
- (b) confirmation that neither the applicant, nor any of the directors or officers of the applicant, have ever had a gaming licence or permit suspended, revoked, or surrendered with prejudice;

- (c) confirmation that neither the applicant, nor any of the directors or officers of the applicant, have ever had an application for a gaming licence or permit withdrawn or denied in circumstances where the person was prevented from re-entering the market or re-applying for a licence for a set period of time; and
- (d) any other information that the Commission may require.

Conditions on approved gaming supplier

- 36 (1) An approved gaming supplier shall—
- (a) provide to the Commission such information and in such form (including by way of affidavit) as the Commission may require;
 - (b) provide to the Commission such documents or records as the Commission may require and permit the Commission to examine, make copies of and take extracts from such documents;
 - (c) provide to the Commission such forms of release, consent or authorisation as the Commission may require for the purpose of enabling the Commission to obtain information including confidential and proprietary information concerning the gaming supplier in any jurisdiction;
 - (d) attend before the Commission to answer questions in relation to any matter pertaining to the gaming supplier or the activities of the gaming supplier; and
 - (e) at all times have an address in Bermuda for the service of any notice, order or legal process and a person or persons authorised to accept service on its behalf.
- (2) An approved gaming supplier shall at all times be required to satisfy the Commission that it remains a suitable person to be engaged in or associated with the gaming industry, having regard to the matters mentioned in regulation 34.
- (3) An approved gaming supplier shall notify the Commission as soon as reasonably practicable of—
- (a) any change in the supplier's name, legal or corporate structure, or registered address;
 - (b) where the approved gaming supplier is a corporate body, any change in its directors or officers;
 - (c) the commencement of any investigation by any foreign casino regulatory body or law enforcement agency or any winding up or liquidation proceedings whether voluntary or involuntary;
 - (d) the refusal or withdrawal of any application, approval, or accreditation necessary to act as a gaming supplier, or equivalent, in any jurisdiction; and

CASINO GAMING REGULATIONS 2018

- (e) the sanctioning, conditioning or any other action taken by a foreign casino regulatory body against any licence or other approval held by the gaming supplier in that jurisdiction.
- (4) An approved gaming supplier shall not—
- (a) knowingly permit any relevant official whilst in office or for a period of two years after the relevant official ceases to hold office to hold any interest whether legal or beneficial and whether directly or indirectly in the gaming supplier, affiliate, intermediary or agent of a gaming supplier; or
 - (b) instruct or knowingly permit any relevant official whilst he holds office and for a period of two years after he ceases to hold office to provide any goods or services to a gaming supplier or any affiliate, intermediary, or agent of a gaming supplier.

Withdrawal of approval

37 (1) The Commission may withdraw any approval granted to an approved gaming supplier if the supplier—

- (a) fails to comply with any requirement of the gaming law;
- (b) is unable to satisfy the Commission that it remains suitable to be a gaming supplier, having regard to the matters mentioned in regulation 34.

(2) Where the Commission proposes to withdraw approval under paragraph (1), it shall provide to the approved gaming supplier—

- (a) written notice of the Commission's intention to withdraw approval and the grounds on which it relies; and
- (b) an opportunity to make representations.

(3) If the Commission withdraws approval, it may also provide that the applicant shall not be entitled to re-apply for approval as an approved gaming supplier for a specified period of up to two years from the date of withdrawal of approval.

(4) Where approval is withdrawn, the Commission shall—

- (a) remove the supplier from the approved supplier list; and
- (b) provide written notice to all casino operators of the removal.

(5) The supplier shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of any investigation undertaken by the Commission in relation to the withdrawal of approval.

Voluntary removal from approved supplier list

38 (1) An approved gaming supplier may request in writing to the Commission to be removed from the approved supplier list.

(2) The Commission may, upon receipt of a request under paragraph (1), remove a gaming supplier from the approved supplier list.

PART 4
EMPLOYEE LICENSING

Categories of special employee licence

39 There shall be the following categories of special employee licence—

- (a) key employee licence;
- (b) supervisory employee licence; and
- (c) gaming employee licence.

Member of casino staff must hold a special employee licence

40 Subject to these Regulations and any written direction by the Commission, a person shall not perform a function of a member of the casino staff of a casino operator, or hold a position on the staff, unless the person holds a special employee licence that permits the holder to perform the function, or to perform the functions of the position.

Functions limited to a person with a key employee licence

41 (1) Subject to these Regulations and any written direction by the Commission, a person shall not perform a key employee function for a casino operator unless—

- (a) the person is an employee of the casino operator; and
- (b) the person holds a key employee licence that permits the holder to perform that function for the casino operator.

(2) For these Regulations, the following functions are the “key employee functions” in relation to a casino operator—

- (a) exercising overall control in one of the key departments mentioned in regulation 91(4)(a);
- (b) a function specified by a written direction of the Commission as a key employee function;
- (c) supervising another person performing a key employee function.

Positions limited to a person with a key employee licence

42 (1) A person shall not hold one of the following positions in a casino operator unless the person holds a key employee licence that permits the holder to perform the functions of the position—

- (a) Chairman, however described;
- (b) Chief Executive Officer, however described;
- (c) the positions of the five employees within the casino operations with the highest earnings;
- (d) member of the compliance committee;

- (e) a position of influence.
- (2) For paragraph (1)(c)—
 - (a) the earnings of an employee include all salaries, bonuses and other benefits provided to the employee; and
 - (b) benefits are valued at the market value for the product or service provided.
- (3) For paragraph (1)(e), a person holds a position of influence if—
 - (a) the Commission has given the person a notice under section 68(2) of the Act requiring the person to apply for a key employee licence; and
 - (b) the person remains in the association or employment specified in the notice after the period specified.

Functions limited to a person with a supervisory employee licence

- 43 (1) Subject to these Regulations and any written direction by the Commission, a person shall not perform a supervisory employee function for a casino operator unless—
- (a) the person is an employee of the casino operator; and
 - (b) the person holds a key employee licence or a supervisory employee licence that permits the holder to perform that function for the casino operator.
- (2) For these Regulations, the following functions are the “supervisory employee functions” in relation to a casino operator—
- (a) exercising middle to high level supervision over other staff within one of the key departments mentioned in regulation 91(4)(a);
 - (b) a function specified by a written direction of the Commission as a supervisory employee function.

Persons ineligible for a special employee licence

- 44 A person shall not be eligible to hold a special employee licence if the person is—
- (a) a Commissioner;
 - (b) an employee of the Commission; or
 - (c) a member of the Legislature.

Application for and granting of a special employee licence

- 45 (1) An application for a special licence employee under section 67 of the Act shall be lodged on behalf of the applicant by the casino operator, and shall be made in such form as the Commission may require.
- (2) The application shall specify the functions that it is proposed the licence holder be permitted to perform.
- (3) An application for a key employee licence or a supervisory employee licence shall—

- (a) specify the functions by reference to—
 - (i) key employee functions mentioned in regulation 41;
 - (ii) supervisory employee functions mentioned in regulation 43; or
 - (iii) positions mentioned in regulation 42;
 - (b) be accompanied by evidence that the applicant is a suitable person to perform those functions, or hold those positions, having regard to the matters set out in regulation 51; and
 - (c) be accompanied by any other documents or information that the Commission by written direction requires.
- (4) An application for a gaming employee licence shall be accompanied by—
- (a) either—
 - (i) a statement signed by the compliance committee that it is satisfied that the applicant is a suitable person to perform those functions, or hold those positions, having regard to the matters set out in regulation 51; or
 - (ii) a request for a provisional employee licence in accordance with regulation 46, specifying the date by which the compliance committee expects that it will be able to provide such a statement; and
 - (b) any other documents or information that the Commission by written direction requires.
- (5) The application may propose conditions to be attached to the licence.
- (6) The casino operator shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of determining the application, including the costs of any investigation undertaken by the Commission.
- (7) For the purpose of determining the application, the Commission may, subject to the requirements of any other Act that relates to privacy or the use of personal information, consider any document given to the Commission for the purposes of the gaming law.
- (8) The special employee licence shall specify—
- (a) if the licence applies only in relation to a particular casino operator or operators, the casino operator or operators to which it applies;
 - (b) any key employee functions that the holder is permitted to perform;
 - (c) any supervisory employee functions that the holder is permitted to perform;
 - (d) any other functions of a member of the casino staff that the holder is permitted to perform;

- (e) any conditions or limitations that the Commission thinks appropriate; and
- (f) (except for a provisional licence), the date of expiry of the licence, which shall be no later than five years after the grant of the licence.

(9) For the purposes of this regulation, functions in relation to a casino operator may be specified by reference to a classification of functions approved or required by a written direction of the Commission.

Provisional special employee licence

46 (1) An applicant for a special employee licence (the “main licence”) may also request the Commission to grant a special employee licence as a provisional licence under section 74 of the Act, pending a decision on the application for the main licence.

(2) The request shall be lodged with the Commission by the casino operator on behalf of the applicant.

(3) The request shall be in such form as the Commission requires.

(4) The request—

- (a) may propose that the provisional licence cover a more limited range of functions than those specified in the application for the main licence;
- (b) may propose that the provisional licence be of a lower category than the main licence; and
- (c) may propose conditions to be attached to the provisional licence.

(5) The Commission shall not grant a provisional key employee licence or a provisional supervisory employee licence unless it is satisfied, on the basis of evidence submitted by the casino operator and the applicant, that—

- (a) it is necessary for the efficient operation of the casino that the applicant be permitted to begin his employment as soon as possible;
- (b) there are no other licensed employees who can reasonably undertake the functions without prejudicing the operation of the casino; and
- (c) the applicant’s background and circumstances are such that the risks in permitting the applicant to perform the functions before completion of the investigation, under the conditions attached to the provisional licence, are acceptably low.

(6) The Commission shall not grant a provisional gaming employee licence unless the request is accompanied by a statement signed by the compliance committee that it is satisfied that—

- (a) it is necessary for the efficient operation of the casino that the person be permitted to begin his employment as soon as possible;
- (b) there are no other employees with a special employee licence or gaming permit who can reasonably undertake the specified functions without prejudicing the operation of the casino; and

- (c) the applicant's background and circumstances are such that the risks in permitting the applicant to perform the functions before completion of the investigation are acceptably low.
- (7) The provisional licence shall state that—
- (a) it is a provisional special employee licence of the relevant category;
 - (b) it can be terminated at any time by the Commission; and
 - (c) it expires when the Commission informs the applicant of its decision on the application for the main licence.
- (8) Unless the contrary intention appears, a reference in these Regulations to a special employee licence includes a reference to a provisional licence.

Amendment and withdrawal of application

47 (1) An application for a special employee licence under section 67 of the Act may be amended with the leave of the Commission at any time prior to the determination of the application by the Commission.

(2) A request for withdrawal of an application may be made at any time prior to final determination of the application by the Commission by filing with the Commission a written request to withdraw.

(3) The Commission may in its discretion, refuse or grant the request for amendment or withdrawal of an application and may grant any request upon such terms as it sees fit.

(4) If the Commission grants a request to withdraw, it may provide that the applicant shall not be entitled to re-apply for a special employee licence for a specified period of up to two years from the date of withdrawal.

Issue of badge

48 (1) On granting a special employee licence to a person, the Commission shall issue the person with a badge, being a device that—

- (a) is capable of being conveniently worn by the person; and
- (b) when worn, allows an inspector to see from a distance—
 - (i) that the person is the holder of the relevant class of special employee licence;
 - (ii) whether or not the licence is a provisional licence; and
- (c) carries the name of the person and a unique identifying number.

(2) Unless the Commission by written direction provides otherwise, the person shall carry the badge with him at all times during working hours.

(3) Unless the IC document provides otherwise, the person shall wear the badge in a conspicuous position at all times while on casino premises.

CASINO GAMING REGULATIONS 2018

Casino operator to inform Commission of persons with influence

49 If a person has a relationship with a casino operator that might be considered as, or as having the appearance of, a special relationship for the purposes of section 68 of the Act, the casino operator shall inform the Commission of the relationship.

Duty to notify of changes in circumstances

50 (1) This regulation applies in relation to a person who is an applicant for, or the holder of, a special employee licence.

(2) If the person becomes aware that a material change has occurred in relation to information held by the Commission, the person must provide the Commission with written particulars of the change as soon as reasonably practicable.

(3) For this regulation—

- (a) “information held by the Commission” means any information about the person that was provided to the Commission—
 - (i) in relation to the person’s application for the special employee licence; or
 - (ii) under this regulation; and
- (b) a “material change” is deemed to have occurred in relation to information held by the Commission if—
 - (i) the information is not, or is no longer, accurate in a material particular; or
 - (ii) any personal details or personal circumstances of the person that have not been included in information held by the Commission are, or have now become, material and relevant in relation to the suitability of the person to be granted, or to continue as the holder of, the special employee licence.

Assessment of applicant

51 (1) The matters on which the Commission is to base an assessment of an applicant for the purposes of section 71(1) of the Act shall include—

- (a) the general reputation of the applicant having regard to character, honesty and integrity;
- (b) the capacity of the applicant to perform the specified functions effectively;
- (c) whether the applicant can uphold high ethical standards;
- (d) the general probity of the applicant, including his competence and soundness of judgment, and the diligence with which he is fulfilling or likely to fulfil responsibilities under the Act and regulations made thereunder;
- (e) the previous conduct and activities in business or financial matters of the applicant in any jurisdiction, and in particular any evidence that he has—

- (i) committed an offence involving fraud or other dishonesty or violence;
 - (ii) contravened any provision under any enactment appearing to the Commission to be designed for protecting members of the public against financial loss;
 - (iii) engaged in any business practices appearing to the Commission to be deceitful or oppressive or otherwise improper (whether lawful or not) or which otherwise reflect discredit on his method of conducting business;
 - (iv) engaged in or has been associated with any other business practices or otherwise conducted himself in such a way as to cast doubt on his competence and soundness of judgment;
 - (f) whether the applicant is a person of sound and stable financial background;
 - (g) whether the applicant has or has had any association with any person, who or which, in the opinion of the Commission, is not of good repute having regard to character, honesty and integrity or has undesirable or unsatisfactory financial resources;
 - (h) whether the applicant has any record of non-compliance with legal or regulatory requirements applicable to him, whether in relation to gaming or otherwise; and
 - (i) any other matter that the Commission thinks relevant to whether the applicant should be granted a special employee licence.
- (2) The burden of satisfying the Commission that the applicant for a special employee licence is a suitable person to be concerned in or associated with the gaming industry in the relevant capacity shall at all times be on the applicant.
- (3) Without limiting paragraph (2), the Commission shall make such investigations as it thinks necessary, and for that purpose may—
- (a) hold a meeting or hearing at which the applicant and any other such person as the Commission sees fit may give evidence under oath;
 - (b) require the applicant or another person to provide evidence by way of affidavit or testimony under oath;
 - (c) authorise or instruct third parties to undertake any investigation as may be reasonably necessary and to provide information or documentation to the Commission; and
 - (d) invite or request third parties including law enforcement agencies in Bermuda and elsewhere to provide an opinion on the suitability of the applicant for the licence.
- (4) The Commission shall not be required to provide an applicant or any other person with any information or documentation obtained or received by the Commission in the course of investigating suitability.

CASINO GAMING REGULATIONS 2018

(5) The Commission shall be entitled, but shall not be required, to provide the applicant with an opportunity to respond to any concerns that the Commission may have following its investigation into suitability.

(6) The opportunity provided pursuant to paragraph (5) and the meeting held pursuant to paragraph (3)(a) may, if the Commission so determines, be by way of public hearing.

(7) The Commission shall be entitled to refuse an application if the applicant or any other person—

- (a) fails to cooperate with or otherwise refuses to allow; or
- (b) directly or indirectly obstructs,

the investigations of the Commission under these Regulations.

Statement of suitability by compliance committee

52 (1) For the purposes of an application for a gaming employee licence, the compliance committee of a casino operator shall not make a statement that it is satisfied that the applicant is a suitable person unless, after making an assessment of the applicant in accordance with this regulation, the compliance committee is satisfied that he is a suitable person to perform the specified functions, and generally to be employed in the gaming industry.

(2) The compliance committee shall—

- (a) obtain a criminal background check from each jurisdiction in which the person has been resident for a period of six months or more in the previous five years;
- (b) require the person to provide such documentation and other information as it thinks necessary or are required by a written direction of the Commission;
- (c) make such other inquiries as it thinks necessary or are required by a written direction of the Commission; and
- (d) consider evidence that the person is a suitable person to perform those functions.

(3) The compliance committee shall have regard to the matters set out in regulation 51(1), as if references in that paragraph to the Commission were references to the compliance committee.

(4) The compliance committee may consult the Commission about the suitability of the person and shall provide the Commission with any documentation or other information that it requires about the person.

(5) The casino operator shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of providing the information, including the costs of any investigation that it thinks necessary.

(6) The Compliance committee shall maintain a complete record of all documentation relied on to make the statement and make it available to the Commission for audit.

Variation of conditions of licence

53 (1) The Commission may, with or without an application by a licensee, vary—

- (a) the functions that the licence holder may perform as a member of the casino staff; or
- (b) any conditions attached to a licence.

(2) If the Commission is considering varying a licence without an application, otherwise than by adding functions or relaxing conditions, it shall notify the applicant and casino operator and invite them to make submissions.

(3) An application for a variation shall—

- (a) be in a form approved by the Commission;
- (b) be lodged on behalf of the applicant by the casino operator;
- (c) specify the variation requested;
- (d) set out the reasons for the variation; and
- (e) be accompanied by any available additional evidence relevant to whether it is appropriate for the Commission to make the variations.

(4) The casino operator shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of determining the application, including the costs of any investigation undertaken by the Commission.

Replacement special employee licence or badge

54 (1) If the Commission is satisfied that a special employee licence or badge has been lost, destroyed or damaged, the Commission may, upon an application by the licensee in such form as the Commission may require, issue a replacement licence or badge.

(2) The Commission may undertake, at the expense of the casino operator, any investigation it thinks reasonable in determining the application for a replacement licence or badge.

Surrender of special employee licence

55 (1) Subject to paragraphs (2) and (3), a licensee may request that the licence be surrendered by giving notice in writing to the Commission in such form as the Commission may require.

(2) A licensee against whom disciplinary proceedings have been commenced or are in the contemplation of the Commission shall not, without the permission of the Commission, be entitled to surrender a licence until such time as the disciplinary action has concluded.

CASINO GAMING REGULATIONS 2018

(3) Upon receiving notice pursuant to paragraph (1), the Commission may require the licensee to comply with such terms and conditions as it thinks appropriate.

(4) Upon satisfying all terms and conditions required under paragraph (3), the Commission may accept the surrender and may provide a date upon which the licence will be surrendered.

(5) The Commission may impose a period of not more than two years during which the person may not apply for a special licence.

(6) The Commission shall not be required to give reasons for its decision.

Obligations of holders of special employee licences

56 (1) The holder of a special employee licence shall—

- (a) immediately report any criminal conviction of the holder in any jurisdiction to the compliance committee and the Commission;
- (b) immediately report any criminal or disciplinary charge brought against the holder in any jurisdiction to the compliance committee;
- (c) provide all information and documentation required by the Commission or the compliance committee;
- (d) when required by the Commission, provide a release to enable the Commission to receive information from third parties;
- (e) not offer or extend credit to any person other than in accordance with the gaming law;
- (f) cooperate with the Commission and its agents;
- (g) not permit any other person to have access to his badge;
- (h) report all breaches or suspected breaches of the gaming law or any criminal behaviour to the compliance committee.

(2) The holder of a special employee licence shall not join the casino staff of another casino operator without first obtaining the approval in writing of the Commission.

Ongoing monitoring of licensee

57 (1) The Commission may at any time it thinks fit investigate whether, having regard to the matters set out in regulation 51, the holder of a special employee licence remains a suitable person to perform the functions permitted by his licence, and generally to be employed in the gaming industry.

(2) If the Commission conducts an investigation under this regulation, the casino operator employing the holder of the special employee licence shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of any investigation undertaken by the Commission.

Suspension of special employee licence during investigation

58 (1) Where—

- (a) allegations have been made or evidence arisen that reasonably calls into question whether the holder of a special employee licence is a suitable person to hold the licence; and
- (b) the Commission is satisfied that, in the circumstances, the holder should not continue to perform the functions permitted under the licence while an investigation is conducted,

the Commission may suspend the licence, or vary its conditions, and make such consequential directions as it thinks appropriate.

(2) The directions may include prohibiting the holder from entering any casino premises.

(3) Nothing in these Regulations shall require a casino operator to terminate or otherwise sanction an employee solely as a result of the suspension of a licence.

Performance of functions in emergencies or for training purposes

59 (1) This regulation is a relevant provision for element (v) of an IC system (see regulation 89(3)).

(2) If unforeseen or other urgent circumstances make it impracticable or inappropriate for a function to be performed by a person whose special employee licence covers the function, the function may be performed by another person, in accordance with the relevant provisions of the IC document.

(3) If the casino operator relies on paragraph (2) it shall, within 24 hours after doing so, notify the compliance committee and the Commission in writing of that fact and of the circumstances that justified it.

(4) For training purposes, a casino operator may permit a member of the casino staff to perform functions not covered by his special employee licence, in accordance with the relevant provisions of the IC document.

(5) The casino operator's IC document shall set out the procedure for determining who should perform the necessary functions when paragraph (2) applies.

(6) The casino operator's IC document shall set out the procedure for permitting a member of the casino staff to perform functions not covered by his special employee licence for training purposes.

(7) The relevant provisions of the IC document shall be calculated to ensure—

- (a) the safety of patrons and staff; and
- (b) the integrity of the casino operations.

PART 5

COMPLIANCE COMMITTEE OF A CASINO OPERATOR

Effect of establishment of compliance committee

60 The establishment of a compliance committee by a casino operator shall not absolve the casino operator (or any other person) of—

- (a) any obligation imposed by; or
- (b) any disciplinary action or sanction for breach of,

the Act or any regulations, rules, directions, codes, standards or guidance made thereunder.

Responsibilities of a compliance committee

61 (1) For the purposes of fulfilling its responsibilities under section 52A of the Act, the compliance committee of a casino operator shall—

- (a) prepare a draft compliance plan for adoption by the casino operator;
- (b) in accordance with the compliance plan—
 - (i) monitor casino operations and provide advice and directions to the casino operator to ensure continuous compliance with the IC document and the gaming and AML/ATF law;
 - (ii) review complaints received from patrons;
- (c) report to the Commission all instances of noncompliance; and
- (d) perform such other functions as the Commission may specify by written direction or otherwise require.

(2) The members of the compliance committee shall approach matters in a disinterested way and exercise independent judgment in making decisions.

Membership of compliance committee

62 (1) The compliance committee of a casino operator shall consist of the individuals holding the following positions—

- (a) compliance officer;
- (b) key employee licensed to carry out senior management functions relating to accounting and finance (normally the Chief Financial Officer);
- (c) key employee licensed to carry out senior management functions relating to legal and regulatory matters (normally the General Counsel);
- (d) where the casino operator is a wholly-owned corporation, a director of the parent company;
- (e) any other position that the Commission may permit or direct by notice in writing to the casino operator.

(2) Where an individual holds more than one of the positions listed in paragraph (1), the casino operator shall, if necessary, request the Commission to permit sufficient other positions to ensure that the compliance committee has at least three members.

Delegations

63 A compliance committee may appoint from among its members such subcommittees as it thinks fit and may, subject to any conditions or restrictions as it may impose, delegate to such subcommittees any of its functions, provided any function so delegated shall be exercised or performed by the subcommittee on behalf of the compliance committee.

Changes to membership

64 (1) The Commission may, from time to time by notice in writing to the casino operator, propose such changes to the membership of that casino operator's compliance committee as it thinks fit.

(2) A casino operator may from time to time by notice in writing to the Commission propose changes to the membership of its compliance committee and the reasons for such changes.

(3) Where notice is given under paragraph (1) or (2), the casino operator or the Commission may, respectively, within 28 days of the date of such notice, object to the proposed changes and shall set out in writing the reasons for the objection and any proposed alternatives.

(4) Where an objection is raised in accordance with paragraph (3), the Commission and the casino operator shall in good faith seek to agree changes to the membership of the compliance committee but where agreement cannot be reached the Commission shall be entitled to direct a casino operator to make such changes to the membership of its compliance committee as the Commission thinks fit.

Proceedings and meetings of compliance committee

65 (1) The compliance committee of a casino operator, (or any sub-committee) shall invest as much time as is necessary to fulfil its responsibilities.

(2) Meetings shall be properly minuted by recording, with appropriate specificity, the issues addressed and any determinations reached and such minutes shall be maintained for a period of not less than seven years.

(3) Minutes of all meetings shall be made available to—

- (a) all members of the compliance committee;
- (b) the casino operator; and
- (c) the Commission upon request (subject to redaction for legal privilege only).

(4) A compliance committee may, subject to its compliance plan, regulate its own proceedings.

CASINO GAMING REGULATIONS 2018

Disciplinary action

66 (1) The casino operator shall be liable to disciplinary action in the event the operator's compliance committee is in breach of any requirement under the gaming and AML/ATF law.

(2) When determining any sanction for such a breach, the Commission shall take into account—

- (a) whether the compliance committee reported the breach to the Commission at the earliest possible opportunity;
- (b) any steps taken by the compliance committee following discovery of the breach; and
- (c) whether the compliance committee had taken all reasonable steps to avoid such a breach occurring.

Compliance plan

67 (1) This regulation is a relevant provision for element (q) of an IC system (see regulation 89(3)).

(2) The IC document shall include a "compliance plan", being a document that sets out—

- (a) the procedures of the compliance committee, including—
 - (i) procedures relating to the review and resolution of issues arising under the remit of the compliance committee;
 - (ii) procedures relating to the introduction of new policies following the review and resolution of any issues under subsubparagraph (i); and
 - (iii) the reporting of information to the Commission;
- (b) the procedures to be followed by the casino operator in order to provide the compliance committee with the information it requires to perform its functions;
- (c) the procedures to be followed by the casino operator in order to comply with its obligations in relation to reportable contracts;
- (d) the procedures to be followed by the casino operator in order to give effect to directions of the compliance committee; and
- (e) any other material required by these Regulations or a written direction by the Commission.

Complaints and disputes

68 (1) This regulation is a relevant provision for element (r) of an IC system (see regulation 89(3)).

(2) The IC document shall set out—

- (a) how patrons can make complaints;
- (b) a mechanism for dealing with complaints and resolving disputes;
- (c) how complaints and disputes are to be reported to and reviewed by the compliance committee.

Introductions of patrons

69 (1) This regulation is a relevant provision for element (s) of an IC system (see regulation 89(3)).

(2) The IC document shall set out the circumstances in which and terms on which a casino operator may directly or indirectly reward a person (the “introducer”) for introducing patrons to the casino.

(3) The casino operator shall not directly or indirectly reward such a person unless it is satisfied that—

- (a) none of the introduced patrons was subject to any form of duress;
 - (b) any credit agreement provided between the introducer and an introduced patron is lawful in the country of residence of the patron;
 - (c) all resources available to patrons relating to problem gaming are available to the patron being introduced.
- (4) If the casino operator becomes aware of evidence that—
- (a) any introduced patron was subject to any form of duress before or after becoming a patron; or
 - (b) any credit agreements, or attempted enforcement of a credit agreement between an introducer and an introduced patron was unlawful in the country of residence of the patron,

the casino operator shall immediately inform the Commission.

(5) The casino operator shall maintain a record that shows, for each month, the details of any rewards made to an introducer in accordance with the IC document including—

- (a) the name and address of the recipient and, if different, of the introducer;
- (b) the value of the reward and the method of calculation;
- (c) where known, the country of residence of the patron to whom the agreement related; and
- (d) any other information that the Commission by written direction requires.

Whistleblowing

70 (1) This regulation is a relevant provision for element (t) of an IC system (see regulation 89(3)).

(2) The IC document shall set out a mechanism by which employees can inform the compliance committee, the audit committee or other group approved by the Commission for the purposes of regulation 111(2), or the Commission of any breaches of the gaming law or any other provision of law without fear of recrimination or retribution.

(3) No person who in good faith reports a breach or suspected breach in accordance with the IC document shall be subjected to any detrimental treatment as a consequence of making the report.

(4) For this regulation, detrimental treatment includes but is not limited to dismissal, disciplinary action, other punitive employment-related action, threats or other unfavourable treatment.

PART 6

REPORTABLE CONTRACTS

Meaning of reportable contract and party

71 (1) Subject to a written direction by the Commission, any of the following is a “reportable contract” for this Part—

- (a) an agreement whereby goods or services are provided to the casino operator by another person—
 - (i) whether or not the casino operator is a party to that agreement; and
 - (ii) whether or not the casino operator provides valuable consideration;
- (b) a scheme or chain of such agreements that result in the casino operator receiving goods or services;
- (c) a sequence of such agreements, or schemes or chains of such agreements that—
 - (i) take place within a period of 12 months; and
 - (ii) involve substantially the same, or closely related, parties.

(2) For these Regulations, where a reportable contract consists of a scheme or chain of agreements, or a sequence of such agreements, schemes or chains, a reference to a party to the contract includes a reference to each party to any of the agreements.

Value of a contract

72 For these Regulations, the value of a contract is the sum of the following—

- (a) the total amount of money payable under the contract;
- (b) where consideration other than money is provided under the contract—
 - (i) the market value of the consideration provided; or
 - (ii) where there is no market for the consideration, the estimated value of the consideration to the person receiving that consideration.

CASINO GAMING REGULATIONS 2018

Meaning of notifiable contract

73 For these Regulations, and for the purposes of Chapter 2 of Part 4 of the Act, a “notifiable contract” is a reportable contract—

- (a) that relates to—
 - (i) casino marketing arrangements;
 - (ii) gaming machines and gaming equipment;
 - (iii) security and surveillance equipment;
 - (iv) accounting or auditing services; or
 - (v) trade union agreements; or
- (b) that has a value greater than \$100,000.

Meaning of controlled contract

74 For these Regulations, and for the purposes of Chapter 2 of Part 4 of the Act, a “controlled contract” is a reportable contract—

- (a) that relates to—
 - (i) the financing or refinancing of the casino operator;
 - (ii) the provision of security personnel in the casino premises; or
 - (iii) any interest in or right to receive a share of the gaming revenue of the casino; or
- (b) that has a value greater than \$500,000.

Requirements for notifiable and controlled contracts

75 (1) A casino operator, before entering into a notifiable contract or a controlled contract, must be satisfied that—

- (a) each party to the contract—
 - (i) is a suitable person to be involved in the casino gaming industry in the relevant capacity; and
 - (ii) has any licence or approval that it requires to act in the relevant capacity; and
- (b) the contract is a genuine commercial contract for the provision of goods or services.

(2) When satisfying itself that a party to a contract is a suitable person, the casino operator shall consider any matters set out at regulation 79 that appear relevant.

(3) The casino operator shall ensure that the terms of the contract—

- (a) require each other party to conduct itself in the fulfilment of its obligations as if it were bound by the Act and any regulations or directions made under the Act;
- (b) require each other party to provide such information to the casino operator as it may reasonably require in order to enable the casino operator to comply with all reporting obligations;
- (c) allow the casino operator to terminate the contract promptly if—
 - (i) directed to do so by the Commission; or
 - (ii) in the reasonable opinion of the casino operator, another party has acted in a manner inconsistent with the Act or any regulations or directions made thereunder.

Reporting on contracts

76 (1) A casino operator shall, within 10 days after the end of each quarter of the financial year, provide the Commission with a report detailing all reportable contracts entered into or varied during the previous quarter—

- (a) identifying notifiable and controlled contracts; and
- (b) including, unless the Commission by written direction provides otherwise—
 - (i) the names of the parties to the contract;
 - (ii) the value of the contract and, where the value is disproportionate to the value of the goods or services provided, an explanation for the discrepancy;
 - (iii) a brief description of the goods or services to be provided; and
 - (iv) a declaration that—
 - (A) the contract was negotiated at arm's length;
 - (B) the value of the contract is within a reasonable range of the market value of the goods or services being provided (unless an explanation has been provided for the discrepancy); and
 - (C) the other parties to the contract are, in the opinion of the casino operator, fit and proper persons to be involved in the provision of goods or services to the casino industry in the relevant capacity.

(2) The Commission shall be entitled to inspect, or require a copy of, any reportable contract.

Notification of notifiable and controlled contracts

77 (1) This regulation applies to a notice given to the Commission by a casino operator—

- (a) pursuant to section 60(1)(a) of the Act, in relation to a proposed controlled contract or variation;
 - (b) pursuant to section 61(1)(a), in relation to a notifiable contract or variation.
- (2) The notice shall include—
- (a) in the case of a contract or proposed contract, a copy of the contract;
 - (b) in the case of a variation to a contract or proposed contract, either a copy of the contract or variation, or a copy of the contract as varied with the changes marked;
 - (c) a short narrative describing the nature of the contract or variation and the material terms;
 - (d) full details of all parties to the contract;
 - (e) full details of any related contracts; and
 - (f) any other information or documentation as may be requested by the Commission in any particular case.

Investigation and review of controlled and notifiable contracts

78 (1) The Commission shall, upon receipt of a notice to which regulation 77 applies, conduct such investigation as it thinks fit of the contract or variation specified in the notice for the purpose of determining whether the contract or variation will or is likely to affect the credibility, integrity and stability of casino operations.

(2) In carrying out an investigation under paragraph(1), the Commission may assess—

- (a) whether the parties to the contract are suitable persons to be involved in the casino gaming industry in the relevant capacity;
 - (b) whether all parties have complied with all licensing or approval requirements in accordance with the Act and regulations made thereunder;
 - (c) whether the contract is a genuine commercial contract for the provision of goods or services;
 - (d) whether, in the opinion of the Commission, any party to the contract has a special relationship with the casino operator for the purposes of section 68 of the Act.
- (3) If it thinks it fit, the Commission may—
- (a) inform the casino operator that it has objections to the contract or variation as proposed, but that those objections would be removed if specified conditions were complied with (which may include specified changes to the contract or variation); and

- (b) invite the casino operator to comply with the specified conditions and re-submit the contract or variation.

(4) The casino operator shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of any investigation undertaken by the Commission.

Suitability of parties to controlled contracts

79 When assessing the suitability of a party for the purposes of regulation 78(2)(a), the Commission may consider the following matters—

- (a) the general reputation of the parties having regard to character, honesty and integrity;
- (b) the suitability of the parties to perform the type of work proposed;
- (c) whether the parties can uphold high ethical standards;
- (d) the general probity of each party, including its competence and soundness of judgment, and the diligence with which it is fulfilling or likely to fulfil responsibilities under the Act and regulations made thereunder;
- (e) the previous conduct and activities in business or financial matters of each party in any jurisdiction, and in particular any evidence that it, or its officers or directors, has—
 - (i) committed an offence involving fraud or other dishonesty or violence;
 - (ii) contravened any provision under any enactment appearing to the Commission to be designed for protecting members of the public against financial loss;
 - (iii) engaged in any business practices appearing to the Commission to be deceitful or oppressive or otherwise improper, whether lawful or not, or which otherwise reflect discredit on his method of conducting business; and
 - (iv) engaged in or has been associated with any other business practices or otherwise conducted himself in such a way as to cast doubt on his competence and soundness of judgment;
- (f) whether each party is a person of sound and stable financial background;
- (g) in the case of a party that is not a natural person, whether the party has, or has arranged, a satisfactory ownership or corporate structure;
- (h) whether any party has or has had any business association with any person, who or which, in the opinion of the Commission, is not of good repute having regard to character, honesty and integrity or has undesirable or unsatisfactory financial resources;

- (i) whether any party has any record of non-compliance with any legal or regulatory requirements applicable to it, whether in relation to gaming or otherwise;
- (j) any other matter that the Commission thinks relevant to the suitability of any party.

Request for expedited consideration of controlled contract

80 (1) If there are circumstances such that a casino operator needs to enter into or vary a controlled contract as a matter of urgency, it may apply to the Commission for expedited consideration under section 60(1) of the Act—

- (a) setting out the reasons why it is appropriate that the consideration be expedited; and
- (b) accepting responsibility for any additional costs entailed by expedited consideration.

(2) The Commission, shall consider the application, taking into account—

- (a) the resources of the Commission;
- (b) the complexity of the proposed controlled contract; and
- (c) the circumstances of the case generally.

(3) Where it considers that expedited consideration is justified and reasonably practicable, the Commission will endeavour to agree with the casino operator on—

- (a) a date by which the Commission will provide a preliminary finding; or
- (b) a date by which the Commission will provide a finding.

(4) The Commission shall not be liable for any failure to agree to a date under paragraph (3) or any failure to provide a finding or preliminary finding by a date so agreed.

PART 7

CASINO OPERATIONS

Chapter 1 - The Internal Control system

How these Regulations relate to section 130 of the Act

81 (1) For the purposes of section 130(1) of the Act, the prescribed internal controls requirements that must be satisfied by the system of internal controls for the casino operations of a casino operator are the applicable requirements for that casino operator specified in regulation 82.

(2) For the purposes of section 130(2) of the Act, these Regulations set out a mechanism for the specification of those parts of the IC system of a casino operator—

- (a) that must be approved before the operations can begin; or

(b) that cannot later be modified without the approval of the Commission.

(3) In these Regulations—

“IC system” (for “internal control system”), in relation to a casino operator, means the system of internal controls that it is required to implement and maintain in relation to its casino operations, under section 130(1) of the Act.

Applicable requirements for a casino operator

82 For these Regulations, the “applicable requirements” for a casino operator are the requirements set out in—

- (a) these Regulations;
- (b) any codes, standards of performance and specifications, issued or approved by the Commission under section 199 of the Act, that relate to internal controls; and
- (c) any conditions on internal controls imposed on the casino operator by the Commission—
 - (i) in the casino licence; or
 - (ii) as a condition of approval of the casino operator’s IC document, or of an amendment to the IC document.

IC system must satisfy the applicable requirements

83 The casino operator shall ensure that its IC system satisfies the applicable requirements at all times.

IC document

84 (1) A casino operator shall adopt and maintain a document that specifies its IC system.

(2) In these Regulations “IC document” (for “internal control document”), in relation to a casino operator, means the document maintained for the purposes of paragraph (1).

(3) The IC document shall include any matter specifically required by the applicable requirements or by written direction of the Commission.

(4) The casino operator shall amend the IC document as necessary to take account of the results of any review under regulation 87.

(5) The casino operator shall not adopt an IC document, or an amendment to an IC document, unless the compliance committee has stated in writing that it is satisfied that operating the IC system in accordance with the IC document, or the document as amended, will ensure that the casino operator complies with the applicable requirements.

(6) The casino operator shall not adopt a relevant part of an IC document, or an amendment to a relevant part, unless it has been submitted to the Commission and approved in accordance with regulation 86.

CASINO GAMING REGULATIONS 2018

(7) Unless the Commission by written direction determines otherwise, all parts of the casino operator's IC document are relevant parts for paragraph (6).

(8) The casino operator shall make the IC document, or any part of it, available to the Commission at such time, and in such form, as the Commission requires.

IC system must be operated in accordance with the IC document

85 (1) A casino operator shall not open the casino for gaming or betting unless it has adopted an IC document in accordance with regulation 84.

(2) A casino operator that becomes the holder of a casino licence by transfer may, if the Commission approves, adopt the IC document of the previous licence holder.

(3) Subject to paragraph (4), a casino operator shall operate the casino in accordance with the IC document.

(4) If unforeseen or other urgent circumstances make it impracticable or inappropriate to operate in accordance with particular provisions of the IC document, the casino operator shall operate in the way that best ensures—

- (a) the safety of patrons and staff; and
- (b) the integrity of the casino operations.

(5) If the casino operator relies on paragraph (4), it shall, within 24 hours after doing so, report the details of the circumstances, and the action taken by the casino operator, to the compliance committee and the Commission in writing.

Approval of relevant parts of IC document by Commission

86 (1) This regulation applies when a casino operator is required, under regulation 84, to submit relevant parts of an IC document, or amendments to relevant parts, to the Commission for approval.

(2) The casino operator shall submit to the Commission—

- (a) a copy of the relevant parts of the document, and any amendments, in such form as the Commission requires;
- (b) a statement by the compliance committee that it is satisfied that operating the IC system in accordance with the IC document, or the document as amended, will ensure that it complies with the applicable requirements;
- (c) a statement by the casino operator that, to the best of its knowledge and belief, the IC document, or the document as amended, is consistent with current best practice within the gaming industry;
- (d) such other information as the Commission by written direction requires.

(3) The Commission shall, as soon as reasonably practicable, notify the casino operator of—

- (a) those parts of the document, or those amendments that the Commission approves;

- (b) those parts, or those amendments that the Commission approves with specified changes or subject to specified conditions; and
- (c) those parts, or those amendments, that it does not approve.

Review of IC document

87 (1) A casino operator's IC document shall provide for a review of the relevant parts of the IC document—

- (a) when the Act or regulations are amended, or there is any other change to the applicable requirements;
 - (b) when required to do so by the Commission; and
 - (c) at regular intervals otherwise.
- (2) The review shall consider whether—
- (a) the actual practices and procedures of the casino operator are consistent with the IC document;
 - (b) the IC document remains consistent with any changes in the applicable requirements, the Act and the regulations; or
 - (c) the IC document continues to constitute good practice in light of—
 - (i) developments in casino gaming, in the gaming industry generally, and in technology generally; and
 - (ii) the goals set out in regulation 3.
- (3) Unless the Commission by written direction determines otherwise—
- (a) all parts of the IC document that are affected by the changes to the Act, regulations or applicable requirements are relevant for a review required by paragraph (1)(a); and
 - (b) all parts of the IC document are relevant for any other review.

Commission codes, standards, specifications and guidelines

88 (1) This regulation applies when the Commission—

- (a) issues or approves a code, standard of performance or specification under section 199 of the Act; or
- (b) issues a guideline under section 200 of the Act.

(2) The Commission shall publish the instrument on its official website, and shall also notify the casino operators in writing.

(3) A notice provided under paragraph (2) may include timelines for a casino operator to review and implement any necessary changes to its internal control policy and system of internal controls.

CASINO GAMING REGULATIONS 2018

(4) An instrument to which this regulation applies is not invalid merely because the Commission did not comply with this regulation when it was issued or approved.

Elements of an IC system and requirements for an IC document

89 (1) A casino operator shall include in its IC system appropriate internal controls for each element listed in the table, which must include any internal controls necessary to ensure that the relevant provisions are complied with.

(2) The casino operator shall include in its IC document a description of the internal controls for each element listed in the table below, together with any additional details required by the relevant provisions.

(3) Table—

Elements of the Internal Control System

Element		Relevant Provisions
(a)	the organisational structure of the casino operations	regulation 91
(b)	the hiring, training and supervision of employees to ensure compliance with the Act	regulation 93
(c)	signatures	regulation 94
(d)	accounts	regulation 95
(e)	the authorisation of financial transactions	regulation 96
(f)	the conduct of financial transactions, including maintenance of the bankroll, handling of cash, wire transfers, use of drop boxes, and dealing with tips and gratuities	regulations 97 to 101
(g)	the preparation of financial statements	regulation 102
(h)	the collection and reporting of statistical data	regulation 103
(i)	the maintenance and retention of records	Chapter 4
(j)	security, the use of surveillance and emergency procedures	Chapter 5
(k)	layout of the casino premises	Chapter 6
(l)	gaming equipment	Chapter 7
(m)	conduct of gaming and wagers	Chapter 8
(n)	anti-bribery and anti-corruption	Chapter 9
(o)	the effective prevention and detection of money laundering and terrorist financing	Chapter 10
(p)	problem gaming	Chapter 11
(q)	the compliance plan (which includes procedures of the compliance committee)	regulation 67
(r)	complaints and dispute resolution	regulation 68
(s)	introduction of patrons	regulation 69
(t)	whistleblowing	regulation 70

CASINO GAMING REGULATIONS 2018

(u)	complimentary services and goods	Chapter 12
(v)	procedures for allowing casino staff to perform functions not covered by their special employee licences in emergencies or for training purposes	regulation 59

Provision of assistance to inspectors

90 A casino operator shall ensure that casino staff provide appropriate assistance to an inspector performing his functions in accordance with sections 13 to 16 and sections 105 and 110 of the Act.

Chapter 2 - Organisation and administration of casino operator

Organisational structure of casino operator

91 (1) This regulation is a relevant provision for element (a) of an IC system (see regulation 89(3)).

(2) The IC document shall specify the organisational structure of the casino operator for its casino operations, setting out—

- (a) the key employee positions;
- (b) other supervisory employee positions;
- (c) other positions of casino staff;
- (d) the functions for each position or group of positions; and
- (e) the supervisory relationships between them.

(3) If the casino operator has employees performing functions not related to its casino operations, the IC document shall—

- (a) describe the activities of the casino operator to which those functions relate; and
- (b) describe how the casino operations are kept independent of the other activities.

(4) The casino operator shall ensure that—

- (a) each of the following sets of functions is performed by a separate department (the “key departments”)—
 - (i) accounting and finance;
 - (ii) information technology;
 - (iii) legal services;
 - (iv) security;
 - (v) surveillance;
 - (vi) table games and pit operations;

- (vii) slots;
 - (viii) bookmaking;
 - (ix) internal audit;
 - (x) compliance;
 - (xi) eGaming;
- (b) there is a system of personnel and a chain of command such that—
- (i) each key department has a key employee position in overall control of the department;
 - (ii) each supervisory employee comes under the supervision of a key employee with a sufficiently direct relationship for the key employee to be held accountable in relation to actions or omissions of the supervisory employee; and
 - (iii) each other member of the casino staff comes under the supervision of a key employee or supervisory employee with a sufficiently direct relationship for the supervisor to be held accountable in relation to actions or omissions of the staff member;
- (c) incompatible functions are separated, in particular those identified in regulation 111(1); and
- (d) functions, duties, responsibilities and supervisory relationships of casino staff members are arranged so that—
- (i) all responsibilities and obligations imposed by the Act and any regulations, rules, codes, policies, directions or guidance made thereunder are addressed at all times when the casino is operating;
 - (ii) positions are appropriately segregated to provide oversight and monitoring and to ensure that no casino staff member is in a position to commit an error or perpetrate a fraud and to conceal the error or fraud;
 - (iii) functions and duties will be performed by competent and qualified casino staff members; and
 - (iv) there will be effective prevention and detection of money laundering and terrorist financing.
- (5) The IC document shall include organisational charts that identify each department or division of casino operations and, for each chart—
- (a) the title or other identifying designation;
 - (b) the date it came into effect; and
 - (c) if the chart supersedes a previous chart, the date the previous chart came into effect.

(6) The casino operator shall maintain lists of the current occupants of each position in the organisational charts, including temporary or acting occupants, and ensure that they are kept up to date.

Dealing with a change in key employees or other supervisory employees

92 (1) This regulation is a relevant provision for element (a) of an IC system (see regulation 89(3)).

(2) The IC document shall include contingency plans for the loss of the occupant of any key employee or supervisory employee position, including any changes that may need to be made to the organisational structure to maintain the lines of authority and separation of roles and responsibilities appropriate to ensure compliance.

(3) In the event of a vacancy in any key employee or supervisory employee position, the casino operator shall, within five days after the casino operator becomes aware of the vacancy, inform the Commission of—

- (a) the vacant position;
- (b) the date on which the position will become or became vacant;
- (c) the measures to be taken in accordance with the IC document in the event that no replacement is found prior to the date of termination; and
- (d) any requirement for a provisional special employee licence under section 74 of the Act.

Casino staff

93 (1) This regulation is a relevant provision for element (b) of an IC system (see regulation 89(3)).

(2) The casino operator shall ensure that regulations 40, 41, 42, 43, and 59 are complied with.

(3) The casino operator shall ensure that each casino staff member who will be on casino premises—

- (a) has been issued a badge; and
- (b) except as provided in the IC document, displays his badge at all times when on casino premises.

(4) The IC document shall specify the circumstances in which one member of the casino staff may perform the duties of another.

(5) The IC document shall set out—

- (a) the circumstances in which a person who is not a member of the casino staff may work on the casino premises to provide services to casino operations;
- (b) how such a person is to be supervised; and

CASINO GAMING REGULATIONS 2018

(c) how such circumstances will be recorded to enable verification by the Commission.

(6) The casino operator shall ensure that all work undertaken by such a person on any gaming machine, surveillance apparatus or other equipment relating to gaming, eGaming or bookmaking is fully documented and verifiable.

(7) The casino operator shall ensure that it has in place a system for training staff to ensure that all its casino staff are competent.

Signatures

94 (1) This regulation is a relevant provision for element (c) of an IC system (see regulation 89(3)).

(2) The casino operator shall maintain specimens of the signatures of all casino staff.

(3) The specimens shall be—

(a) securely stored;

(b) accessible to the accounts department and to an inspector.

(4) The casino operator shall ensure that whenever an employee makes a signature for the purposes of compliance with the IC document or the gaming law—

(a) the signature is consistent with the specimen maintained by the casino operator;

(b) the employee's first initial, last name and badge number are printed or legibly hand-written on the document immediately adjacent to the signature.

Chapter 3 - Accounts and financial transactions

Accounts

95 (1) This regulation is a relevant provision for element (d) of an IC system (see regulation 89(3)).

(2) The casino operator shall adopt internal controls to ensure that it complies with section 133 of the Act (Accounts to be kept), and, in particular, that—

(a) there is effective control of the casino operator's financial affairs;

(b) financial records are accurate and reliable;

(c) financial transactions are recorded in such a manner that there is proper reporting of—

(i) gaming revenue; and

(ii) liability for fees and taxes

- (d) there is proper accountability for assets, including mechanisms to ensure that—
 - (i) access to assets occurs only in accordance with specified authorisation policies;
 - (ii) recorded assets are compared with actual assets at sufficient intervals to minimise the risk of appropriation; and
 - (iii) adequate mechanisms are in place in the event of a discrepancy; and
- (e) all financial statements required by the Commission are accurate.

Authorisation of financial transactions

96 (1) This regulation is a relevant provision for element (e) of an IC system (see regulation 89(3)).

(2) The casino operator shall ensure that all financial transactions are performed in accordance with specified authorisation policies set out in the IC document.

Maintenance of the bankroll

97 (1) This regulation is a relevant provision for element (f) of an IC system (see regulation 89(3)).

(2) The Commission may, by written direction, determine a bankroll formula to apply to one or more casino operators.

(3) The determination shall specify a date of commencement, which shall not be less than 30 days after the date of publication.

(4) The determination may specify cash equivalents that may be used by the casino operator.

(5) A casino operator may request a review of the proposed bankroll formula or revision, by notifying the Commission in writing in such form as the Commission may require not more than 14 days after the date of publication and provision of copies.

(6) Where a casino operator makes a request for a review, the effective date of the proposed bankroll formula or revision is stayed pending consideration of the request by the Commission.

(7) A casino operator may propose the revocation or substitution of an existing bankroll formula by submitting a request to the Commission in such form as the Commission may require.

(8) The Commission shall consider such a request, but shall act on it entirely at its discretion.

(9) If a bankroll formula applies to a casino operator, the casino operator shall maintain its bankroll at no less than the minimum amount.

CASINO GAMING REGULATIONS 2018

(10) If the casino operator fails to do so, it shall immediately notify the Commission in writing of the shortfall and the means by which the casino operator proposes to remedy it.

(11) The casino operator shall maintain records reflecting accurate monthly computations of the minimum bankroll requirement and actual bankroll available.

(12) The Commission may by written direction require a casino operator—

- (a) to provide computations more frequently than set out in paragraph (11);
- (b) to undertake additional record keeping;
- (c) to maintain a bankroll higher than the minimum set by the bankroll formula.

(13) The Commission may, where requested in writing by the casino operator and where satisfied that it is necessary to do so, waive any requirement under this regulation for the casino operator.

(14) In this regulation—

“bankroll” means the amount of cash or cash equivalent that a casino operator has available on the casino premises, or within reach of the casino premises for immediate use when required, to pay any gaming debts owed by the casino operator to its patrons;

“bankroll formula” means a method for calculating the minimum amount for a bankroll that a casino operator should maintain.

Handling of cash

98 (1) This regulation is a relevant provision for element (f) of an IC system (see regulation 89(3)).

(2) The IC document shall set out how a member of the casino staff shall deal with cash received from a patron—

- (a) for gaming;
- (b) for the purchase of goods or services;
- (c) by way of tips or gratuities; or
- (d) for other purposes.

(3) The method in each case shall be designed to ensure that the integrity of the casino operations is maintained.

Wire transfers

99 (1) This regulation is a relevant provision for element (f) of an IC system (see regulation 89(3)).

(2) In this regulation, a reference to a wire transfer is a reference to an electronic transfer of funds to or from a patron.

CASINO GAMING REGULATIONS 2018

- (3) The casino operator shall ensure that—
- (a) all wire transfers are logged, using a sequential numbering system;
 - (b) all information relating to a wire transfer, including required signatures and documents necessary for reconciliation, is obtained and recorded;
 - (c) the patron and the source or destination of the transfer are identified;
 - (d) no wire transfer is made or received in respect of a third party on behalf of a patron;
 - (e) accounts relating to wire transfers are reconciled; and
 - (f) discrepancies are identified and reported appropriately.

Mandatory count procedure

100 (1) This regulation is a relevant provision for element (f) of an IC system (see regulation 89(3)).

(2) The IC document shall specify the time or times when drop boxes will be removed and the contents counted.

(3) The casino operator shall ensure that all of its drop boxes are removed and the contents counted at the specified time or times.

- (4) With respect to table game drop boxes, the casino operator shall ensure that—
- (a) the container is permanently marked with the game, shift, and a number corresponding to a permanent number on the table used;
 - (b) all markings on the container are clearly visible from a distance of at least 20 feet; and
 - (c) the container is locked to the table and separately keyed from the container itself.

Tips and gratuities

101 (1) This regulation is a relevant provision for element (f) of an IC system (see regulation 89(3)).

- (2) The IC document shall specify—
- (a) any casino staff members who are prohibited from accepting or soliciting tips or gratuities; and
 - (b) how the acceptance of tips or gratuities by each type of employee at each type of game will be monitored and controlled;
 - (c) how tips and gratuities are to be identified by the surveillance operators; and
 - (d) how tips and gratuities are to be reported to the relevant government authorities as necessary.

CASINO GAMING REGULATIONS 2018

Financial statements

102 (1) This regulation is a relevant provision for element (g) of an IC system (see regulation 89(3)).

(2) The casino operator shall, as soon as practicable after the end of each financial year, provide the Commission with a financial statement, prepared in such manner and using such forms as the Commission may require, covering all financial activities of the casino operator for the financial year.

(3) Where the casino operator has an interest in, or is entitled to any income from, any other aspect of the integrated resort, including but not limited to accommodation, food and beverage, retail or other amenities, then those aspects shall be included in the financial statement in addition to gaming operations.

(4) The financial statement shall be—

- (a) prepared on a comparative basis for the current and prior financial year in accordance with International Financial Reporting Standards (“IFRS”);
- (b) signed by the casino operator, who shall attest to the completeness and accuracy of the statement; and
- (c) audited in accordance with IFRS by an independent auditor approved by the Commission.

(5) The Commission may at any time by notice in writing to the casino operator require the casino operator to submit audited financial statements for any period set out in the notice and may request such other information regarding a financial statement from the casino operator or the auditor as it thinks fit.

(6) In the event that the independent auditor resigns or is dismissed by the casino operator, the casino operator shall provide the Commission with a signed statement from the compliance committee within 21 days of termination setting out the details of the termination and confirming whether or not there have been any disagreements between the parties and if so the details of any such disagreements.

(7) Where the casino operator proposes to use a computerised system linked to the gaming equipment of the casino as part of its administration and accounting procedures, the casino operator, when applying to the Commission for approval of the system as gaming equipment, it shall provide a statement from an independent testing laboratory satisfactorily certifying that the system is fit for purpose.

Provision of statistical information to Commission

103 (1) This regulation is a relevant provision for element (h) of an IC system (see regulation 89(3)).

(2) The casino operator shall furnish the Commission with monthly, quarterly and annual reports containing such statistical and financial data as the Commission may by written direction require.

(3) The Commission may use the information in the reports for the purpose of compiling, evaluating and disseminating information regarding the economic trends within the gaming industry.

Chapter 4 - Record keeping

Relationship of this Chapter to IC system

104 This Chapter is a relevant provision for element (i) of an IC system (see regulation 89(3)).

Record keeping generally

105 (1) The casino operator shall ensure, by methods set out in the IC document, that it complies with section 136 of the Act (Keeping of records).

(2) The casino operator shall maintain adequate records of its operations, which shall include—

- (a) correspondence with the Commission, other regulatory bodies, and governmental agencies;
- (b) correspondence with and information relating to gaming suppliers;
- (c) copies of all promotional material and advertising;
- (d) personnel files on all current and former employees; and
- (e) copies of all reportable contracts entered into by the casino operator.

(3) Subject to paragraph (4), the records shall be—

- (a) kept at a secure location in Bermuda equipped with a fire suppression system;
- (b) stored in both electronic format and hard copy;
- (c) stored in a format that provides for individual documents to be located and produced in an efficient manner upon request by an inspector;
- (d) at regular intervals backed up to a separate location, which may be in another jurisdiction; and
- (e) made available to an inspector upon demand.

(4) The Commission may by written direction permit the records to be kept in a different way, provided that it is satisfied that storage will be no less secure and that any relevant documents will be available as quickly if required.

(5) In this regulation, “reportable contract” has the meaning given in regulation 71(1).

CASINO GAMING REGULATIONS 2018

Records to be available for inspection

106 Where a provision of the gaming law requires a specified document or record to be kept by a casino operator, the casino operator shall maintain it in a form that allows the specified document or record to be conveniently viewed by an inspector at any time.

Form of records

107 (1) The casino operator shall ensure that—

- (a) any paper record required to be prepared or maintained under the gaming law shall include the name of the casino operator, the title of the record and the date;
- (b) whenever copies of a paper record are made, the copies shall be clearly marked so as to differentiate between the copies and the original;
- (c) information stored electronically is stored in such format that it remains readable regardless of whether the technology or software that created or maintained it has become obsolete.

(2) The IC document shall—

- (a) provide for the use of signatures and consecutive serial numbering in any circumstances that the Commission by written direction specifies;
- (b) specify any circumstances in which an exception to consecutive serial numbering may be made; and
- (c) require the compliance committee to be notified when such an exception is made.

Accounting records

108 (1) The casino operator shall keep accurate, complete records of all financial transactions to which it is a party or where the transaction is made by any person on behalf of the casino operator.

(2) The records shall be kept on a double entry system of accounting on an accrual basis, and shall include, but not be limited to—

- (a) detailed records identifying revenues, expenses, assets, liabilities and statements of cash flow;
- (b) detailed records of all markers or other credit instruments;
- (c) records of all patron cheques accepted by the casino operator and returned to the casino operator as uncollectable;
- (d) records of all investments, advances, loans and receivable balances, other than patron cheques;
- (e) such individual and statistical game records for each type of game, and for such accounting period, as the Commission may by written direction require;

CASINO GAMING REGULATIONS 2018

- (f) lot analysis reports which shall compare actual hold percentages to theoretical hold percentages for each gaming machine; and
 - (g) any other accounting records that the Commission may by written direction require.
- (3) The casino operator shall keep detailed accounting records to accurately reflect the calculation of gross gaming revenue.
- (4) The casino operator shall within 14 days of the event report to the Commission details of any—
- (a) loan or other credit facility obtained by the casino operator;
 - (b) guarantees or other security granted or obtained by the casino operator;
 - (c) capital contributions received by the casino operator; and
 - (d) leases entered into by the casino operator.
- (5) If the casino operator fails to maintain records as required by this regulation, the Commission may, without limiting any disciplinary or other sanctions, compute and determine the amount of gross gaming revenue or permitted deductions.

Corporate casino operators

- 109 (1) A casino operator that is not a natural person shall have available for inspection upon demand by an inspector the following documents—
- (a) a certified copy of the current (and any former) articles of incorporation, memorandum of association, bye-laws, partnership agreements, trust deeds or other such documents evidencing or relating to the formation of the casino operator;
 - (b) a list of all current and former directors, officers or partners including names, dates of birth and addresses;
 - (c) a list of all shareholders including full names and addresses, number of shares and the dates those shares were acquired;
 - (d) minutes of all directors meetings;
 - (e) minutes of all shareholder meetings; and
 - (f) a record of all salaries, wages or other remuneration or compensation, direct or indirect, paid during the calendar or financial year, by the casino operator, to all officers, directors and to all shareholders with an investment equal to or greater than five percent of the issued shares in value or number.
- (2) The casino operator shall maintain original or certified copies of all documents relating to ownership at the casino premises unless the Commission by written direction provides otherwise.

Chapter 5 - Surveillance and security

Relationship of this Chapter to IC system

110 This Chapter is a relevant provision for element (j) of an IC system (see regulation 89(3)).

Security and surveillance staff

111 (1) The IC document shall, in the organisational structure set out in accordance with regulation 91, specify the position of head of the surveillance staff.

(2) The head of the surveillance staff shall be responsible to an audit committee or other group that the Commission is satisfied is sufficiently independent of the management of the casino operator to ensure that the integrity of the surveillance function can be maintained.

(3) The casino operator shall ensure, by methods set out in the IC document, that—

- (a) surveillance staff operate independently of other casino employees; and
- (b) surveillance staff are regularly assessed to ensure that they satisfy high standards of integrity;
- (c) there are no temporary appointments of surveillance staff who have not recently been so assessed; and
- (d) turnover of surveillance staff is minimised.

(4) The casino operator shall ensure that there are at all times sufficient surveillance staff and general security staff on the casino premises to ensure the safety and security of casino operations.

(5) The IC document shall set out—

- (a) the minimum number of surveillance and general security staff at each level who will be employed and present on the casino premises during its periods of operation;
- (b) the contingency plan for addressing periods of unexpected increased numbers of patrons or unexpected absences of surveillance staff or general security staff;
- (c) the minimum qualifications and training requirements for all positions of the surveillance staff and general security staff; and
- (d) the contingency plan for addressing any shutdown of the surveillance system or any failure of equipment affecting surveillance or the surveillance monitoring room.

(6) The casino operator shall ensure that lists are maintained of—

- (a) the general security staff; and

- (b) the surveillance staff,

with the name, address, licence number and job description of each.

(7) The casino operator shall provide the lists to the Commission at such intervals as the Commission by written direction requires.

Surveillance system

112 (1) The casino operator shall ensure that—

- (a) there is in place at all times a surveillance system that satisfies regulation 113;
- (b) the transmissions generated by each camera are received and viewable in a surveillance monitoring room that satisfies regulation 115; and
- (c) the system and the monitoring room are under the exclusive control of surveillance staff.

(2) The IC document shall describe the surveillance system, specifying in particular—

- (a) the areas to be covered; and
- (b) for each area to be covered—
 - (i) the nature and purpose of the surveillance and the activities to be observed;
 - (ii) the cameras and other equipment to be used; and
 - (iii) the positioning, or the criteria for positioning, of the cameras and other equipment;
- (c) the arrangement of the monitoring room and the monitors and other equipment to be used in it;
- (d) the procedures for monitoring camera feeds and for use of the monitoring room; and
- (e) how the system is to be operated, and the levels of monitoring that are required, at different times to take account of—
 - (i) varying levels of gaming activity or patronage; or
 - (ii) non-gaming activities on the casino premises or nearby.

Surveillance system requirements

113 (1) The surveillance system shall be designed to best ensure—

- (a) the safety of patrons and staff;
- (b) the integrity of the casino operations; and

- (c) compliance with the gaming law, in particular in relation to excluded persons and minors.
- (2) The areas covered shall include—
 - (a) within the casino premises—
 - (i) approaches to entrances to and exits from the casino premises;
 - (ii) approaches to areas not open to the public;
 - (iii) approaches to bathrooms;
 - (iv) gaming areas and approaches to gaming areas; and
 - (v) restricted areas and approaches to restricted areas; and
 - (b) outside the casino premises—
 - (i) approaches to entrances to and exits from the casino premises;
 - (ii) approaches to nearby bathrooms likely to be used by patrons; and
 - (iii) nearby areas where surveillance is appropriate in the circumstances, such as—
 - (A) areas that offer concealment to loiterers;
 - (B) carparks likely to be used by patrons;
 - (C) automatic teller machines and approaches to them.
- (3) The casino operator shall maintain at all times a detailed floor plan and description of the current surveillance system, including the details and position of each camera and other items of surveillance equipment, and shall provide the Commission with an updated version as soon as practicable after each change.
- (4) The surveillance system shall continuously record transmissions from its cameras and shall comprise—
 - (a) light sensitive cameras with—
 - (i) lenses of sufficient magnification and 360° pan, and tilt and zoom capabilities without camera stops;
 - (ii) full camera control capability for each camera; and
 - (b) video recording equipment, which at a minimum shall—
 - (i) permit the preservation and viewing of a clear copy of the transmission produced by any camera connected to the surveillance system;
 - (ii) superimpose the time and date of the transmission on each recording;
 - (iii) enable the casino operator to identify and locate, through the use of a meter, counter, or other device or method, a particular event that was recorded; and

CASINO GAMING REGULATIONS 2018

- (iv) store recordings for the minimum period specified by the Commission by written direction.
- (5) The casino operator shall ensure sufficient and continuous lighting in the areas covered by the surveillance system so as to enable clear video recordings and still picture reproductions.
- (6) The surveillance system shall ensure that the casino operator can continuously monitor the movement of cash money, gaming chips, tip boxes, drop boxes, payout boxes and slot cash storage boxes within the casino premises.
- (7) When a gaming machine or gaming table is modified, moved or replaced, the casino operator shall ensure that the sufficiency of coverage by the surveillance system of the machine or table is reviewed and that a senior member of its surveillance staff reports the result of the inspection to the compliance committee.
- (8) The casino operator shall ensure that recording equipment is replaced immediately if there is any significant degradation in the quality of the images or sound that it records.

Surveillance of particular areas

- 114 (1) Surveillance of table games, other than fully automated table games, shall include—
- (a) at least one camera recording each of the following—
 - (i) the players;
 - (ii) the dealer;
 - (iii) a top view of the game; and
 - (b) other cameras as necessary to ensure that the casino operator can continuously—
 - (i) identify patrons, dealers and currency denominations; and
 - (ii) simultaneously view the table and determine the configuration of equipment such as coupons, card, dice and tile values so that wagers and game outcomes can be observed.
- (2) Surveillance of fully automated table games and slot machines shall ensure that the casino operator can continuously—
- (a) read information on a reel strip or electronic table layout and the credit meter; and
 - (b) identify patrons.
- (3) Surveillance of a cage shall ensure that the casino operator can continuously monitor operations conducted at the cage, including identifying each patron conducting business at the cage.

CASINO GAMING REGULATIONS 2018

(4) Surveillance of the count room shall ensure that the casino operator can continuously monitor operations conducted in the count room.

(5) Surveillance of automated bill breaker machines, automated gaming voucher and coupon redemption machines, automated jackpot payout machines and automatic teller machines shall ensure that the casino operator can continuously monitor operations conducted at the machines, including identifying each patron using the machines.

(6) If the casino operator operates a restricted gaming area, the Commission may require that it provide additional surveillance measures, which may include, for example—

- (a) more camera coverage of the area to which access is restricted;
- (b) longer retention of recordings; or
- (c) a direct video and audio feed from the surveillance equipment operating in the gaming area that is under the control of the Commission and separate from that monitored by the casino operator's surveillance staff.

Surveillance monitoring room

115 (1) The casino operator shall maintain a detailed and up-to-date description of the current surveillance monitoring room, including details of the monitoring equipment and layout.

(2) The surveillance monitoring room shall—

- (a) be connected to all casino alarm systems;
- (b) be set up to allow surveillance staff to conveniently—
 - (i) direct any camera and observe its feed; and
 - (ii) provide for a number of simultaneous feeds as appropriate for the casino, in accordance with any written direction by the Commission;
- (c) have an up-to-date photo library, consisting of photographs that are no more than four years old from the date taken, of—
 - (i) all current casino staff members; and
 - (ii) excluded persons.

(3) Subject to any written direction by the Commission, the recording equipment of the surveillance system shall be housed in the surveillance monitoring room.

(4) The casino operator shall ensure that no entrances to the surveillance monitoring room are visible from the gaming floor.

(5) The casino operator shall ensure that any person entering the surveillance monitoring room who is not a member of the surveillance staff assigned and on shift to work in the surveillance monitoring room at the time of entry shall—

- (a) show his face to the surveillance system on entry;
- (b) sign an entry log on entry; and

CASINO GAMING REGULATIONS 2018

- (c) be accompanied by a member of the surveillance staff assigned and on shift to work in the surveillance monitoring room at the time of entry.

Security alarms

116 (1) The casino operator shall ensure that each of the following is equipped with a security alarm system—

- (a) doors to a cage;
 - (b) doors to the count room;
 - (c) all emergency exits from the gaming floor;
 - (d) any other entry or exit specified by the Commission.
- (2) The security alarm system shall—
- (a) provide a visible or audible signal that is perceptually distinguishable from a fire alarm and any non-emergency alarm; and
 - (b) be monitored from the surveillance monitoring room.
- (3) The casino operator shall notify the Commission of—
- (a) any malfunction of any alarm system or any alarmed doors, immediately upon becoming aware of the malfunction;
 - (b) any non-emergency repair, maintenance or replacement of any alarm, system or alarmed door within 24 hours of the repair or replacement.

Surveillance logs and records

117 (1) The casino operator shall maintain a log of all surveillance activities, which shall be—

- (a) housed in the surveillance monitoring room;
 - (b) maintained by the surveillance staff; and
 - (c) maintained in an electronic format that prevents any modification of information after it has been entered onto the log.
- (2) The IC document shall specify the information to be recorded in the surveillance log.
- (3) If there is a malfunction of any camera or other equipment in the surveillance system, the surveillance log shall record a complete description of the time, date and, if known, the cause of the malfunction, and the time at which the casino operator's surveillance staff learned of the malfunction.
- (4) The surveillance log shall be retained for a minimum of 30 days unless the Commission by written direction determines otherwise, and shall be made available to the Commission upon demand.

CASINO GAMING REGULATIONS 2018

Access to restricted areas

118 (1) For these Regulations, each of the following is a “restricted area” of the casino premises—

- (a) a cage;
- (b) the count room;
- (c) the surveillance monitoring room;
- (d) all rooms containing computer equipment that is linked to any game or any electronic monitoring system;
- (e) all rooms containing records maintained pursuant to the gaming law or the IC document;
- (f) all rooms used for recording or maintaining confidential information or for housing computers used to record or store confidential information; and
- (g) any other area specified by written direction of the Commission as a restricted area.

(2) The IC document shall, for each restricted area, specify the casino staff members who are permitted to enter the area.

(3) The casino operator shall ensure that—

- (a) only the specified casino staff members enter the restricted area;
- (b) the movements of the casino staff members into and out of the area are recorded electronically; and
- (c) if an unauthorised person enters the area—
 - (i) the person can be identified; and
 - (ii) the surveillance staff and the general security staff are made aware of the unauthorised access as soon as reasonably practicable.

Transportation of high risk items

119 (1) The casino operator shall ensure, by methods set out in the IC document, the safe distribution and collection of cash storage boxes, drop boxes, cash, and other items of value through or in the casino premises.

(2) The IC document shall set out—

- (a) the routes used and the order of collection or distribution;
- (b) the times and days of each collection or distribution; and
- (c) the procedure for distribution and collection at the count room and the employees who will be present.

(3) The IC document shall—

- (a) distinguish between the collection of drop boxes or cash storage boxes from fully automated gaming machines and those that are not fully automated;
- (b) include details of the job description of each person involved in the distribution and collection process and the specific responsibilities of the security department in the handling of all drop boxes; and
- (c) include details regarding the storage of drop boxes not in use.

Keys required to secure certain assets

120 (1) The casino operator shall ensure that each item of the following kinds shall be secured by a lock with a secure key—

- (a) drop boxes;
- (b) slot cash storage boxes;
- (c) trolleys or other equipment used to transport drop boxes;
- (d) storage cabinets on trolleys for unattended slot drop boxes;
- (e) doors to the count room;
- (f) doors to a cage;
- (g) locations or compartments housing slot drop buckets or slot drop boxes;
- (h) locations or compartments housing any computers, processors or control units relating to progressive meters, progressive gaming machines etc.

(2) The IC document shall—

- (a) specify which items, or groups of items, require separate keys;
- (b) set out the procedures relating to keys and the counterpart locks, which shall include—
 - (i) the maintenance of inventory ledgers for each key;
 - (ii) the requisitioning of keys from vendors;
 - (iii) the storage and issuance of keys;
 - (iv) any loss, removal from service, and subsequent replacement of keys or the counterpart locks;
 - (v) the destruction of keys or counterpart locks;
 - (vi) the storage of keys and duplicate keys; and
 - (vii) the carrying out of physical inventories of all keys and counterpart locks at least every six months.

(3) In this regulation “secure key” means a device or mechanism for unlocking a locked box, compartment or location that utilises a patent that ensures that the key cannot be duplicated except by the manufacturer or its agent or successor.

Emergency and maintenance procedures

121 (1) The casino operator shall ensure that—

- (a) the surveillance system is equipped with an emergency power system, tested at intervals not exceeding six months, which can be used to operate the surveillance system in the event of a power failure;
- (b) there is a preventive maintenance programme, implemented by surveillance staff, to ensure that the entire surveillance system is maintained in proper working order and that the covers over the cameras are cleaned in accordance with a routine maintenance schedule.

(2) In the event of any equipment failure, a casino operator shall notify the Commission of—

- (a) the time and cause of the malfunction, if known;
- (b) the time the security department was notified of the malfunction; and
- (c) the nature of communications with the security department relating to the malfunction.

Offences relating to surveillance system

122 Any person who tampers with or does anything so as to compromise or adversely affect—

- (a) the surveillance system of a casino operator; or
- (b) the surveillance monitoring room;
- (c) the records created by the surveillance system,

commits an offence and shall be liable on conviction to a fine not exceeding \$100,000 or to imprisonment for a term not exceeding three years or to both.

Chapter 6 - Casino layout

Prescribed requirements

123 For section 90 of the Act, the requirements relating to casino layout set out in this Chapter are prescribed.

Relationship of this Chapter to IC system

124 This Chapter is a relevant provision for element (k) of an IC system (see regulation 89(3)).

Floor plan

125 (1) The IC document shall include a detailed floor plan of the casino premises, showing—

- (a) the gaming areas, including each gaming machine area or table game pit; and

- (b) any eGaming zone;
 - (c) any gaming area that is, or is from time to time, a restricted gaming area;
 - (d) each cage;
 - (e) the count room;
 - (f) the vault;
 - (g) any other restricted areas;
 - (h) areas designated for the consumption of food and drink;
 - (i) retail outlets;
 - (j) reception and information counters;
 - (k) staircases, escalators, elevators and lobbies;
 - (l) bathrooms;
 - (m) the exits and entrances to the casino, to each restricted area and to each room within the casino premises; and
 - (n) all areas subject to surveillance.
- (2) The IC document shall specify—
- (a) the total square footage of the casino premises, of the gaming area and of the eGaming zones;
 - (b) minimum and maximum numbers of gaming machines and table games available in each gaming machine area or table game pit; and
 - (c) the maximum number of gaming machines and table games available in total.
- (3) The casino operator shall maintain at all times a detailed floor plan of the gaming areas, showing the location of each gaming machine and gaming table.
- (4) Any change to the floor plan shall be notified to the compliance committee.
- (5) The casino operator shall ensure that any change to the location of a gaming machine or gaming table does not compromise the effectiveness of the surveillance system.

Restricted gaming areas

- 126 (1) If the casino operator proposes to operate any gaming area as a restricted gaming area, whether at all times or from time to time, the IC document shall specify—
- (a) the nature of the restrictions; and
 - (b) when they will apply.
- (2) The casino operator shall ensure that the operation of a restricted gaming area does not compromise—

CASINO GAMING REGULATIONS 2018

- (a) the integrity of the conduct of gaming in the gaming area;
- (b) the effectiveness of the surveillance system; or
- (c) the safety of patrons and staff.

(3) In these Regulations, unless the Commission by written direction provides otherwise, a gaming area is operated as a “restricted gaming area” if the casino operator limits patron access to it.

Cage

127 (1) The casino operator shall ensure that—

- (a) the casino premises have at least one fully enclosed area designed to house cashiers and to store any cash, chips, chip purchase vouchers, wagering vouchers, markers, and documents to be provided to patrons for the purpose of gaming (a “cage”); and
- (b) all such items are stored in a cage.

(2) A cage shall be constructed and configured in accordance with industry best practice, as described in the IC document.

(3) The main cage of the casino shall include a mantrap.

Count room

128 (1) The casino operator shall ensure that—

- (a) the casino premises has an enclosed area designed to accommodate the receipt of cash, drop boxes and storage boxes and for the counting of those items and their contents (the “count room”); and
- (b) that function is performed only in the count room;
- (c) only counting room staff are present during a count; and
- (d) only count staff conduct a count.

(2) The count room shall be constructed and configured in accordance with industry best practice, as described in the IC document.

(3) The IC document shall specify the procedures and controls for the counting of items in the count room including—

- (a) the mechanism by which a count will be undertaken;
- (b) the procedures for recording and verifying a count;
- (c) the procedures for dealing with emergency drops to the count room;
- (d) the procedures for dealing with corrections or errors; and
- (e) other personnel permitted or required to be present during each count.

(4) For the purposes of paragraph (1), the IC document shall—

- (a) specify appropriate positions in the organisational structure as being “counting room staff”; and
 - (b) specify some of those positions as “count staff”.
- (5) The casino operator shall ensure that lists are maintained of—
- (a) the counting room staff; and
 - (b) the count staff,

with the name, address, licence number and job description of each.

(6) The casino operator shall provide the list to the Commission at such intervals as the Commission by written direction requires.

Multi-functional use of gaming areas

129 (1) The casino operator shall ensure that any activities conducted in a gaming area do not compromise the integrity of the conduct of gaming in the gaming area.

(2) The IC document may set out times or circumstances in which a gaming area may be used for a purpose other than gaming.

(3) If the IC document does so, it shall include any procedures that are necessary to ensure the integrity of the gaming equipment and surveillance equipment, which may include—

- (a) removing or safeguarding gaming equipment in the gaming area; or
- (b) removing or safeguarding related surveillance equipment.

(4) For the avoidance of doubt, this regulation does not affect the operation of sections 117 and 118 of the Act in relation to excluded persons.

Chapter 7 - Gaming equipment

Relationship of this Chapter to IC system

130 This Chapter is a relevant provision for element (l) of an IC system (see regulation 89(3)).

Possession and use of gaming equipment in a casino

131 (1) The casino operator shall ensure that each item of gaming equipment used for a gaming purpose in the casino is approved gaming equipment.

(2) The casino operator shall ensure that each item of restricted gaming equipment present in the casino—

- (a) is approved gaming equipment;
- (b) is present only for the purposes of examination, testing, repair or modification pending approval;

CASINO GAMING REGULATIONS 2018

- (c) is being held without being used while arrangements are made for its removal; or
 - (d) is present in accordance with a written direction of the Commission.
- (3) The casino operator shall maintain records of—
- (a) each item of gaming equipment used for a gaming purpose in the casino; and
 - (b) each item of restricted gaming equipment present in the casino,
- that demonstrate that the casino operator has complied with paragraphs (1) and (2).
- (4) The records shall include—
- (a) the date of supply to the casino premises;
 - (b) the name, address and telephone number of supplier;
 - (c) the serial number of each item of gaming equipment that has a serial number; or
 - (d) gaming equipment that has the serial number; and
 - (e) any modifications made to approved gaming equipment, with the modification approval number.
- (5) The casino operator shall ensure that all items of gaming equipment to which paragraphs (1) and (2) apply are securely stored, used and controlled at all times while on the casino premises.
- (6) For this regulation, subject to any written direction by the Commission, an item of gaming equipment is “restricted gaming equipment” if—
- (a) it is designed to be used for a gaming purpose; or
 - (b) it is commonly used in casinos for a gaming purpose.
- (7) For this regulation, an item of gaming equipment is “used for a gaming purpose” if—
- (a) it is used in a game in a casino; or
 - (b) it is used—
 - (i) to operate gaming equipment used in a game in a casino; or
 - (ii) to send or receive data from such gaming equipment for the purposes of security or accounting.

Repair and maintenance of gaming equipment

132 (1) The casino operator shall ensure that approved gaming equipment is maintained in good working order.

CASINO GAMING REGULATIONS 2018

(2) The casino operator shall maintain records of any repairs to approved gaming equipment that require the replacement of any part affecting game outcome.

(3) The casino operator shall notify the Commission in writing as soon as practicable, but in any case within 24 hours, after becoming aware that any approved gaming equipment in its possession no longer complies with the Act, these Regulations, or any other provision of law.

Use of chips and wagering vouchers

133 (1) All wagering at table games in the casino shall be conducted with—

- (a) gaming tokens issued by the casino operator and approved by the Commission under section 93 of the Act;
- (b) wagering vouchers; or
- (c) electronic wagering credits.

(2) The casino operator shall not issue chips with a cash value otherwise than as gaming tokens.

(3) The casino operator may use different gaming tokens for different games only if the different tokens are easily identifiable.

(4) Chips and wagering vouchers shall not be issued to a patron except on request, and shall not be given as change in any transaction other than a gaming transaction.

(5) Chips and wagering vouchers shall not be used in any transaction other than a game at the issuing casino.

(6) Chips and wagering vouchers shall be issued only—

- (a) by a cashier at a cage;
- (b) by the dealer at a table game to a patron at the game; or
- (c) if the IC document provides for chip runners, by a chip runner to a patron at a poker game.

(7) In this regulation, “chip runner” means a casino staff member who supplies gaming tokens to table games in progress.

Design of gaming tokens

134 (1) This regulation applies subject to any written direction by the Commission.

(2) A gaming token may be of any colour or denomination.

(3) Gaming tokens issued by the casino operator shall—

- (a) consist of coloured discs of a design that—
 - (i) is unique to that casino;
 - (ii) enables them to be stacked;

- (iii) indicates the value of each token;
 - (iv) allows their origin and value to be easily distinguishable on the surveillance system, including when stacked;
 - (b) contain the word “Bermuda” or “BDA”; and
 - (c) be designed as far as possible to prevent counterfeiting or tampering.
- (4) Tournament tokens shall—
- (a) contain the word “tournament” and the phrase “no cash value”; and
 - (b) be easily distinguishable from chips with a cash value on the surveillance system.
- (5) Discount tokens shall—
- (a) contain the word “discount” and the phrase “no cash value”; and
 - (b) be easily distinguishable from chips with a cash value on the surveillance system.

Handling of gaming tokens

135 The IC document shall set out the procedure for—

- (a) the receipt of gaming tokens from the manufacturer;
- (b) the inspection of gaming tokens;
- (c) the storage of gaming tokens;
- (d) the distribution and collection of gaming tokens to and from table games and table game pits;
- (e) the destruction of gaming tokens;
- (f) the removal of any gaming tokens suspected of, or showing signs, of being tampered with or being otherwise noncompliant with any approval granted, and the secure storage of such tokens pending any subsequent investigation; and
- (g) the redemption by an employee, authorised to receive gaming tokens as a tip or gratuity, to redeem gaming tokens received as such.

Tournament and discount tokens and wagering vouchers

136 (1) The casino operator shall not issue wagering vouchers, discount tokens or tournament tokens unless the IC document has set out—

- (a) the circumstances in which they may be issued;
- (b) for wagering vouchers, the design of the vouchers, in accordance with this regulation; and
- (c) the procedures for their issue and use.

- (2) A wagering voucher shall—
- (a) if it provides for free or discounted play, state the value of the play;
 - (b) if it relates to the odds or amount of the wager, state the increase or variation in odds or amount of wager;
 - (c) be of a design that—
 - (i) is unique to that casino; and
 - (ii) allows their origin and value or effect to be easily distinguishable on the surveillance system;
 - (d) include a unique identifying number or code;
 - (e) if space permits, refer to any restrictions or terms and conditions in the house rules; and
 - (f) be designed as far as possible to prevent counterfeiting or tampering.

Redemption of gaming tokens

137 (1) A gaming token with a cash value that is lawfully held by a patron may be redeemed by the patron for that value in accordance with this regulation.

(2) A gaming token remains the property of the casino operator, who shall be entitled to require the patron to redeem it or, if it does not have a cash value, surrender it at any time.

(3) A gaming token may be redeemed only at a cage.

(4) The casino operator shall take all reasonable steps to prevent non-patrons from redeeming a gaming token.

(5) Subject to paragraph (6), the casino operator shall, upon the presentation for redemption by a patron of a gaming token, promptly exchange it for an equivalent amount of cash or other approved credit instrument.

(6) A casino operator shall not redeem a gaming token if—

- (a) the casino operator suspects that it is counterfeit;
- (b) the casino operator suspects that it was obtained or is being used unlawfully;
- (c) the redemption does not comply with the conditions in the house rules;
- (d) the approval of the gaming token under section 93 of the Act has terminated or been withdrawn by the Commission; or
- (e) the gaming law or a written direction by the Commission prohibits redemption in the circumstances.

(7) A casino operator shall not redeem a gaming token issued by another casino.

CASINO GAMING REGULATIONS 2018

Dice

- 138 (1) The IC document shall set out the procedure for—
- (a) the receipt of dice from the manufacturer;
 - (b) the inspection of dice;
 - (c) the storage of dice;
 - (d) the distribution and collection of dice to and from table games and table game pits;
 - (e) the destruction of dice; and
 - (f) subject to paragraph (3), the removal of any dice suspected, or showing signs, of being tampered with or being otherwise non-compliant with any approval granted and the secure storage of such dice for any subsequent investigation.
- (2) The casino operator shall seek to prevent to the greatest extent possible the use of counterfeit, altered, damaged or otherwise non-compliant dice within the casino premises.
- (3) The casino operator shall ensure that, if any dice show any sign of tampering or other damage—
- (a) they are immediately removed from use, placed in a sealed container, stored in a secure area and not used again for gaming; and
 - (b) the incident is reported to the compliance committee.

Playing cards

- 139 (1) The IC document shall set out the procedure for—
- (a) the receipt of cards from the manufacturer;
 - (b) the inspection of cards;
 - (c) the storage of cards;
 - (d) the distribution and collection of cards to and from table games and table game pits or tables;
 - (e) the destruction of cards; and
 - (f) subject to paragraph (3), the removal of any cards suspected, or showing signs, of being tampered with or otherwise being non-compliant with any approval granted and the secure storage of such cards pending any subsequent investigation.
- (2) The casino operator shall seek to prevent to the greatest extent possible the use of counterfeit, altered, damaged or otherwise non-compliant cards in the casino premises.
- (3) The casino operator shall ensure that, if any cards show any sign of tampering or other damage—

CASINO GAMING REGULATIONS 2018

- (a) they are immediately removed from use, placed in a sealed container, stored in a secure area and not used again for gaming; and
 - (b) the incident is reported to the compliance committee.
- (4) Unless the Commission by written direction determines otherwise, playing cards used at a casino in respect of a table game shall be—
- (a) shuffled using an electronic shuffler; and
 - (b) dealt from a card shoe or other device approved by the Commission.

Chapter 8 - Conduct of gaming and wagering

Relationship of this Chapter to IC system

140 This Chapter is a relevant provision for element (m) of an IC system (see regulation 89(3)).

List of games to be offered

141 (1) The IC document shall set out a list of the games that the casino operator proposes to offer from time to time.

(2) The IC document shall also set out—

- (a) the mode of play and the rules for each game;
- (b) any limitations and conditions on the offering or playing of each game;
- (c) a clear and concise explanation of all fees to be charged in relation to individual games and generally;
- (d) any applicable betting limits relating to each game and generally; and
- (e) all other terms and conditions relating to each game and to games and gaming generally.

(3) The casino operator shall maintain a record of the games actually offered at the casino at any time in the previous six years.

(4) The games to be offered in the IC document shall be games on the list published by the Commission under section 91(1)(b) of the Act, and the modes of play and the rules for the games shall be as approved by the Commission under that section.

(5) Subject to any written direction by the Commission, a game that was automatically approved through the operation of section 91(1A) of the Act shall be subject to any limitations and conditions that would be applicable to the game in the relevant foreign jurisdiction.

House rules

142 (1) For these Regulations, a reference to the “house rules” in relation to a patron or patrons is a reference to a document that sets out—

- (a) a list of the games offered to the patron or patrons by the casino;

- (b) the mode of play and the rules for each game;
 - (c) a clear and concise explanation of all fees;
 - (d) any applicable betting limits, including the minimum and maximum bets applicable to each game;
 - (e) conditions on the issue, use and redemption of gaming tokens and chip purchase vouchers;
 - (f) conditions on the issue and use of wagering vouchers; and
 - (g) all other terms and conditions relating to the games.
- (2) The casino operator shall ensure that—
- (a) an electronic copy of the house rules is made available to any patron accessing a patron account by a clear and conspicuous link; and
 - (b) a paper version of the house rules is made available to a patron on request.
- (3) For the avoidance of doubt, if a game, or a form of a game, is offered by the casino only in a restricted gaming area, the house rules for a patron need not cover the game, or that form of the game, unless the patron has been accepted for the restricted gaming area.
- (4) A modified extract from the house rules may be made available to a patron, or displayed for patrons in the casino, provided that—
- (a) it relates to a particular game or games;
 - (b) it includes a summary of—
 - (i) the mode of play and rules of play for the game or games; and
 - (ii) other information in the house rules relevant to the game or games, that includes all essential information and is not misleading in any way; and
 - (c) it clearly states that it is only a summary of the rules that relate to the game or games, and that the full house rules are available on request.

Information on minimum and maximum wagers

143 (1) The casino operator shall ensure that applicable minimum and maximum wagers are clearly displayed at each gaming machine.

(2) The casino operator shall ensure that applicable minimum and maximum wagers are clearly displayed at each gaming table not in a restricted gaming area.

Jackpot and credit meter payouts and annuities

144 (1) The IC document shall set out the system of payouts for the casino.

(2) The casino operator shall not offer a payout that has not been certified by the compliance committee as being fair in the context of the relevant games.

CASINO GAMING REGULATIONS 2018

(3) Subject to this regulation, a payout may be offered in cash, as an annuity, in the form of goods or services, or as a mixture of these.

(4) The casino operator shall not offer a payout that includes an annuity, or goods or services, except in accordance with a written direction of the Commission that permits such payouts.

(5) If the IC document provides for an annuity payout—

- (a) it shall set out how the casino operator is to ensure the future payments of the annuity;
- (b) it may also provide for a single cash payout in lieu of the annuity, and if it does so—
 - (i) it shall set out the calculations for the amount of the cash payment, showing any discount; and
 - (ii) the casino operator shall ensure that any advertisement includes the calculations.

(6) If the IC document provides for a payout in the form of goods or services, it may also provide for a single cash payout in lieu of the goods or services.

(7) If the casino operator offers a payout consisting of goods or services, the casino operator shall—

- (a) set out clearly in any advertisement—
 - (i) the value of the goods or services available as a payout;
 - (ii) the dates the goods or services are available as a payout;
 - (iii) an accurate description of the goods or services, which must not be misleading as to value;
 - (iv) any restrictions on the goods or services including any dates by which the goods or services must be collected or utilised; and
 - (v) if a cash prize is offered as an alternative, the amount of the cash prize; and
- (b) ensure that any goods or services provided by third parties are actually provided to the patron.

Table inventory

145 (1) In this regulation, the “table inventory”, for a table game that is not fully automated and in which the casino is required to participate financially, is the stock of chips that it has at the commencement of a session of play.

(2) The IC document shall set out—

- (a) the procedure for the distribution, collection, reconciliation and storage of a table inventory; and

(b) any fill and credit procedures.

(3) The casino operator shall not permit any addition to or removal from the table inventory except—

- (a) in exchange for cash;
- (b) in exchange for a credit instrument that the Commission permits by written direction;
- (c) for the payment of winning wagers and the collection of losing wagers made at that gaming table;
- (d) in exchange for gaming chips or other gaming coupons or tokens of an equal aggregate face value; or
- (e) in accordance with a fill and credit procedure set out in the IC document.

(4) The casino operator shall ensure that—

- (a) all transactions relating to a table inventory prior to the commencement of gaming and after the conclusion of gaming are recorded; and
- (b) all transactions relating to a table inventory during gaming are clearly visible to and recorded by the surveillance systems.

Patron transactions at tables

146 (1) The IC document shall set out the procedure to be followed for transactions involving the acceptance of cash or chips from a patron in respect of a table game, and how the patron, the dealer and the game supervisor are to be made aware of the value of a transaction.

(2) The casino operator shall ensure that all such transactions are visible to and recorded by the surveillance system.

(3) The casino operator shall not permit a wager to be accepted if—

- (a) the wager is placed on behalf of another person;
- (b) the wager is placed by a person who is or appears to be incapacitated or incapable of making a decision in relation to the wager by reason of intoxication due to drink or drugs or other mental condition; or
- (c) it would be, or it appears that it would be, unlawful to accept the wager.

Distribution of chips to gaming tables

147 The IC document shall set out a procedure that ensures that—

- (a) when chips are distributed to a table on which gaming is in progress, an accurate electronic record is made that contains sufficient information for the reconciliation of all distributions including—
 - (i) date and time of distribution;

- (ii) total amount and denomination of chips distributed; and
 - (iii) the table and employees involved in the distribution and receipt of chips; and
- (b) access to completed records of distributions is restricted to specified employees who have no involvement in the distribution process.

Removal of cash and chips from gaming tables

148 The IC document shall set out a procedure that ensures that—

- (a) when cash or chips are removed from a table on which gaming is in progress, an accurate electronic record is made that contains sufficient information for the reconciliation of all removals including—
 - (i) date and time of removal;
 - (ii) total amount and denomination of cash and chips removed; and
 - (iii) the table and employees involved in the distribution and receipt of chips; and
- (b) access to completed records of removals is restricted to specified employees who have no involvement in the removal process.

Chapter 9 - Anti-corruption measures

Relationship of this Chapter to IC system

149 This Chapter is a relevant provision for element (n) of an IC system (see regulation 89(3)).

Anti-bribery and anti-corruption policy

150 (1) The IC document shall set out a comprehensive and robust anti-bribery and anti-corruption policy (the “policy”) in accordance with this regulation.

(2) The casino operator shall conduct a risk assessment to identify any areas of its casino operations at risk for bribery and corruption and the policy shall specify the measures to address those risks.

(3) The policy shall, to the greatest extent possible, encourage a culture where bribery and corruption are unacceptable and that ensures that casino staff, associates and third party contractors—

- (a) act with integrity in all business dealings;
- (b) are provided with the necessary training regarding anti-bribery and anti-corruption measures;
- (c) comply with the gaming law, and any other provision of law, and any international obligations relating to anti-bribery and anti-corruption measures; and

- (d) report to the casino operator any breach or suspected breach of any requirements under subparagraph (c).
- (4) The policy shall provide for the immediate reporting to the Commission of any breach or suspected breach of—
 - (a) the requirements under paragraph (3)(c);
 - (b) the policy.
- (5) It shall be a term of the contract of employment for every casino employee that he comply with the terms of the policy.

Chapter 10 - Anti-money laundering and anti-terrorist financing measures

Relationship of this Chapter to IC system

151 This Chapter is a relevant provision for element (o) of an IC system (see regulation 89(3)).

Anti-money laundering and anti-terrorist financing controls

152 (1) The IC document shall set out a comprehensive and robust AML/ATF compliance policy, that is risk-based and will ensure compliance with all the casino operators' AML/ATF obligations.

(2) The casino operator shall conduct a risk assessment to identify any areas of its casino operations at risk for money laundering and terrorist financing and the AML/ATF compliance policy shall specify the measures to address those risks.

- (3) The risk assessment shall cover, but not be limited to, the risks involving—
 - (a) casino patrons generally, which may include whether a patron—
 - (i) has sources of wealth or income commensurate with his gaming activity;
 - (ii) has provided personal, financial or business information that can be readily verified;
 - (iii) has fiduciary obligations that may create a risk of misappropriation of funds;
 - (iv) is associated with individuals or entities known to be connected to the illicit generation of funds or the laundering of such funds;
 - (v) has been made bankrupt;
 - (vi) has a prior history of criminal or dishonest conduct; or
 - (vii) is a politically exposed person;
 - (b) casino gaming, eGaming and betting generally;
 - (c) products and services offered by or on behalf of the casino operator;

- (d) employees in the proper performance of their functions and duties and as a voluntary or involuntary part of any AML/ATF scheme;
 - (e) the use of foreign holding accounts where funds are held in a foreign jurisdiction for use in a casino in Bermuda;
 - (f) the use of third party marketing agents and junkets;
 - (g) the ownership structures and integrity of intermediaries and associated businesses such as junket promoters, agents, gaming manufacturers, financial service providers;
 - (h) criminal activities and proceeds of crime generated domestically as well as generated abroad but laundered domestically;
 - (i) financial services offered by the casino operator or by an intermediary; and
 - (j) the use of slot machine or kiosks that accept cash.
- (4) The AML/ATF compliance policy shall include—
- (a) procedures for using all reasonably available information to determine—
 - (i) the full name, date of birth, and residential address, and verification of the same, of a patron of the casino, when required by the Commission or any other law enforcement agency to provide such information; and
 - (ii) whether a suspicious activity report needs to be filed;
 - (b) the creation and maintenance of any records required under;
 - (c) internal testing for compliance with the requirements of the gaming and AML/ATF law;
 - (d) appropriate, ongoing training of casino personnel in AML/ATF matters;
 - (e) a clear reporting line and escalation path;
 - (f) responsibilities of the compliance officer in relation to AML/ATF matters;
 - (g) a clear procedure for the review and implementation of any compliance officer recommendations or reports;
 - (h) integrating and sharing data as appropriate and feasible among—
 - (i) different parts of the casino and integrated resort;
 - (ii) any other casino operators;
 - (iii) other entities providing gaming, betting or lottery services; and
 - (iv) affiliates in other jurisdictions;
 - (i) consideration of all remuneration and employee incentive policies and structures to ensure that no person is rewarded as a result of failing to comply with the AML/ATF compliance policy;

- (j) procedures to ensure that high risk or politically exposed persons are identified so that appropriate sign-off is obtained for transactions involving those persons;
 - (k) procedures to implement such measures as are necessary to assist any law enforcement or regulatory authorities in Bermuda with any investigations or enabling those authorities to freeze or seize assets where permitted by law;
 - (l) the use of any cashless wagering systems to monitor the variety, frequency and volume of transactions; and
 - (m) clear policies and procedures to prevent to the greatest extent practicable the purchase of chips from 'clean' patrons at a premium.
- (5) The casino operator shall review its risk assessment and compliance policy at regular intervals and in light of any changes of circumstances, including the introduction of new products or technology, new methods of payment by customers, changes in the customer demographic or any material changes, and in any event at least annually.
- (6) The casino operator shall—
- (a) consider such amendments to the AML/ATF compliance policy as may be recommended; and
 - (b) make such amendments as may be required by—
 - (i) those persons carrying out the review pursuant to paragraph (5);
 - (ii) the Commission; or
 - (iii) the independent entity providing the opinion pursuant to regulation 154.
- (7) The casino operator shall keep a record that demonstrates that—
- (a) it takes all relevant risk factors into account when determining the level of AML/ATF risk; and
 - (b) AML/ATF risk assessments are not unduly influenced or compromised by the potential profitability of new or existing patron relationships.
- (8) The casino operator shall seek, through its AML/ATF compliance policy and otherwise, to create to the greatest extent possible a culture where significant importance is attached to AML/ATF.
- (9) The casino operator shall seek to utilise any cashless wagering system or patron account information to aid in complying with the provisions of these Regulations.
- (10) The casino operator shall ensure that adequate resources are allocated to ensure compliance with all AML/ATF requirements.
- (11) The casino operator shall ensure that any employees in a jurisdiction other than Bermuda comply with all record keeping and recording requirements set out in the Act or these Regulations.

Compliance Officer

153 (1) A casino operator shall ensure that it has at all times a compliance officer who—

- (a) is adequately trained to carry out the role;
- (b) fully understands the relevant AML/ATF requirements;
- (c) is available to other employees to consult on AML/ATF related issues as they arise;
- (d) is fully knowledgeable as to the casino's products, services, customer base and particular AML/ATF risk areas; and
- (e) has appropriate authority and resources to implement the casino's AML/ATF policies.

(2) The compliance officer shall be responsible for ensuring that training is provided at a minimum to the following general categories of employees—

- (a) those engaged in the operation of casino games and bookmaking;
- (b) all employees with cash or credit handling responsibilities;
- (c) surveillance employees;
- (d) employees in the accounts department;
- (e) senior gaming management; and
- (f) employees responsible for marketing or hosting high value players.

(3) The compliance officer shall upon request in writing attend an interview with the Commission or with any other law enforcement agency in Bermuda and shall, if required, provide evidence under oath.

Third party accreditation of AML/ATF policy

154 (1) A casino operator shall ensure that its AML/ATF compliance policy is reviewed and an opinion prepared by an independent entity approved by the Commission—

- (a) prior to the opening of the casino; and
- (b) at such intervals as the Commission may by written direction require.

(2) The review shall include, but shall not be limited to—

- (a) customer due diligence;
- (b) transaction monitoring;
- (c) record keeping;
- (d) training;
- (e) adherence to reporting requirements;
- (f) compliance with AML/ATF rules and regulations generally; and

(g) compliance with industry good practice.

(3) The opinion shall address the compliance of the AML/ATF compliance policy with the requirements of these Regulations and any other provisions of law relating to AML/ATF.

(4) The costs of complying with this regulation shall be borne by the casino operator.

(5) The Commission may publish a list of approved independent entities for the purposes of these Regulations.

(6) The casino operator may request the addition of any entity to the list of approved entities.

(7) The casino operator shall, in accordance with regulation 3 of the Casino Gaming (Casino Fees) Regulations 2017, be liable to reimburse the Commission for the costs of any investigation undertaken by the Commission as a result of a request made under paragraph (6).

(8) Whether any entity is to be added to the list is a decision solely in the discretion of the Commission.

Chapter 11 - Protection of the vulnerable

Protection of the vulnerable

155 (1) This regulation is a relevant provision for element (p) of an IC system (see regulation 89(3)).

(2) The IC document shall set out the procedures for—

- (a) ensuring the proper circulation of any list of excluded persons provided by the Commission;
- (b) preventing access to the casino premises by minors and excluded persons;
- (c) preventing the advertising of casino operations to minors;
- (d) observing and monitoring the activities of patrons to identify patrons who might be at risk of becoming problem gamblers; and
- (e) ensuring that such patrons are given appropriate assistance.

(3) In addition, the compliance plan of the IC document shall set out procedures for the compliance committee to—

- (a) oversee the implementation of the procedures mentioned in paragraph (2); and
- (b) work with the Director of Problem and Responsible Gaming and with the Problem Gaming Advisory Council to ensure that the casino operator applies best practice.

(4) The casino operator shall ensure the necessary mechanisms are in place to enable a patron to apply for and obtain a self-exclusion order.

Chapter 12 - Complimentary services

Complimentary services

156 (1) This regulation is a relevant provision for element (u) of an IC system (see regulation 89(3)).

(2) The IC document shall set out the controls relating to the authorisation and issuance of any complimentary services, which shall include—

- (a) the procedures by which employees are authorised to issue complimentary services;
- (b) the procedures by which the casino operator establishes, modifies or limits that authority; and
- (c) a list of the persons able to authorise complimentary services, and the maximum dollar value or other limit on each person's authority;
- (d) where any complimentary service may be provided.

(3) The casino operator shall ensure that the following details of any complimentary service are recorded in a database—

- (a) a description of the complimentary service or goods;
- (b) the date it was provided;
- (c) the name and position of the employee who authorised it;
- (d) the name of the person receiving it;
- (e) its value;
- (f) the reason for providing it.

(4) The casino operator shall make the database available to the Commission upon demand.

(5) The casino operator shall prepare a quarterly report detailing the recipient names and dollar value of all complimentary services or goods for that period.

(6) If the casino operator gives patrons coupons, vouchers or other documents that will entitle them to a complimentary service, it shall ensure that—

- (a) they are given in a manner that is clearly visible by the surveillance system; and
- (b) the nature of the coupon, voucher or other document is easily identifiable by the surveillance system.

CASINO GAMING REGULATIONS 2018

(7) Any complimentary service provided directly or indirectly by a third party not an affiliate of the casino operator shall be deemed to have been provided by the casino operator where such service or item—

- (a) is directly or indirectly related to gaming; or
- (b) is provided at no cost or at a reduced cost, compared to the cost at which it is available to members of the public generally, in consequence of the person being a patron of the casino.

(8) In this regulation, “complimentary services” means any services or goods provided by a casino operator directly or indirectly to an individual in respect of the anticipated or actual gaming activities of that individual at no cost or at reduced cost where the provision of such services or goods is not generally available to the public and includes—

- (a) cash and non-cash gifts;
- (b) the awarding of reward or other loyalty points otherwise than in accordance with any stated reward scheme.

Made this 24th day of September 2018

Acting Minister of Economic Development and Tourism

[Operative Date: 26 September 2018]