

ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1997 No. 20

**Virtual Casino Wagering and Sports Book Wagering
Regulations, made by the Minister under section 27 of the
Free Trade and Processing Zone Act 1994. No.12 of 1994.**

1. These Regulations may be cited as Virtual Casino Wagering
and Sports Book Wagering Regulations 1997.

Short title.

2. In these Regulations -

Interpretation.

“Commission” means the Commission established under the
Free Trade and Processing Zone Act 1994.

“Commissioner” means the Commissioner appointed under
section 10 of the Free Trade and Processing Zone Act 1994.

3. No licence shall be issued to any company unless that company
is registered under the International Business Corporation Act and
in possession of a certificate of good standing.

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4. (1) Any company issued with a licence to operate a Virtual
Casino Wagering or Sports Book Wagering shall operate his
business in the Free Trade and Processing Zone.

Commission to
permit operations
outside the zone.

(2) Notwithstanding subparagraph (1) a licensee may be permitted
temporary to operate the business of Virtual Casino Wagering or
Sports Book Wagering in a licensed premises outside the Free Trade
and Processing Zone.

5. (1) No premises shall be used for the operation of a Virtual
Casino and Sports Book Wagering until such premises has been
licensed by the Commission.

Licensed premises.

(2) Applicants may apply to the Commissioner for a licence on a form provided by him.

Procedure for work permit application.

6. (1) A special work permit is required for all non-citizens to work in the Free Trade Zone or on a licensed premises only. The regular work permit issued for working in Antigua and Barbuda is not valid for working in the Free Trade Zone. Completed application forms for the work permit must be presented to the Free Trade Zone Commissioner for approval before submission to the Department of Labour for processing.

(2) The company must issue a letter to the Commissioner on behalf of applicants for work permits indicating that it accepts responsibility for the said applicants while they remain within its employment.

(3) All application forms must be stamped, numbered and signed by the Commissioner before they are submitted to the Department of Labour.

Employment of nationals.

7. (1) A company licensed to operate a Virtual Casino Wagering or Sports Book Wagering shall employ at least three (3) persons who are citizens of Antigua and Barbuda to each expatriate employee, including Management, in the business operation of the company.

(2) The Commission shall keep a register in which all employees who are -

- (a) citizens of Antigua and Barbuda;
- (b) non-citizens of Antigua and Barbuda.

(3) All shall be registered including owners and managers must have Social Security and Medical Benefit numbers.

(4) Owners shall pay the Social Security, Medical Benefit and Education Levy contributions for their employees as well as for themselves.

8. (1) All Companies licensed by the Free Trade Zone and permitted temporarily to operate physically outside the Zone are deemed to be operating under the authority of the Commission and not as a Satellite Zone.

Authority of the Commission outside the Zone.

(2) The Licensee must promptly inform the Commissioner in writing of any changes of address or of any employee who has been terminated.

9. Application for the renewal of work permit shall be accompanied by a certificate from the Social Security Board, the Medical Benefit Board and the Board of Education that all Contributions required to be paid to these Boards have been paid up to date. Work permit will not be renewed until these certificates are produced.

Condition for renewal of licence.

10. (1) Warrants for clearing items which are accorded duty and tax exemption under the Free Trade and Processing Zone Act, 1994, must be presented to the Commissioner for approval and affixing of the official stamp of the Commission. Under normal conditions the processing time is three (3) days maximum.

Exemptions and procedure for obtaining customs exemptions.

(2) All invoices and other documentation required by the Customs, which include the certified value and the declaration regarding the use of the item by the company doing the importation must be submitted along with the warrant.

(3) All imports entering Antigua and Barbuda under the authority of the Free Trade and Processing Zone Commission must be consigned to the licensee and must be kept at all times on the licensed premises of the business operations of the Licensee and are subject to periodic inspection and review by the Commission.

(4) An inventory of such imports must be presented to the Commission quarterly or upon request and the Commission reserves the rights to check and certify the information presented in the inventory.

11. The Commissioner must be promptly informed in advance in writing on any changes in address or expansion of the business operations of a Licensee.

Prompt information to Commissioner.

Articles excluded
from customs
exemptions.

12. (1) Personal belongings and household items are subject to payment of customs duty service and handling charges.

(2) Duty and Tax Exemptions on imported items required for the operation of the business in the Free Trade Zone or licensed premises do not include service and handling charges.

No. 12 of 1994.

(3) The Minister responsible for Customs shall determine the service and handling charges in accordance with section 19(4) of the Free Trade and Processing Zone Act 1994.

Licence.

13. (1) The licence fees for Virtual Casino Wagering and Sports Book Wagering are as prescribed in the Schedule.

(2) A licence fee in respect of each licensee shall remain in force for five years and shall be reviewed at the end of such period.

(3) The Commission reserves the right to limit the number of off-shore gaming licences for any given period.

(4) All companies licensed under the Free Trade and Processing Zone Act are required to have a physical presence in Antigua and Barbuda.

(5) All licences are renewable annually upon the production of evidence that the company -

- (a) is licensed under the International Business Corporation Act and in possession of a certificate of good standing;
- (b) has complied with the provisions of paragraph 7 of this Regulation; and
- (c) is not in breach of any of the conditions of the licence.

(6) A licence is not transferable to a third party and sublicensing is prohibited.

(7) The licence of any company who contravenes subparagraph (6) shall be cancelled forthwith by the Commission.

14. The Commission may cancel a licence if any of the following conditions are breached -

Conditions of
licence.

- (1) Attempting to illegally sub-license other operators under the Licence granted to one specific operator.
- (2) Misuse or abuse of Tax and Duty Exemptions and other concessions or benefits granted by virtue of the Licence issued by the Free Trade and Processing Zone.
- (3) Sale, exchange or disposal of items imported into Antigua and Barbuda by virtue of the Licence granted by the Free Trade and Processing Zone without the consent of the Commission.
- (4) Permitting the fraudulent or unlawful use of the Licence or any part thereof or other privileges and entitlements bestowed by virtue of the Licence.
- (5) Falsification or wilful omission of any information required as a condition for licensing and for continuing review of the Licence or supplying misleading information.
- (6) Failure to meet all commitments to players, or false information in advertising or in promoting the business activities of the Licensee.
- (7) Employment of workers who do not have the appropriate work permit.
- (8) Failure to pay Social Security, Medical Benefit and Education Levy contributions.
- (9) Not having an Established Administrative Office and Company Representative in Antigua and Barbuda.
- (10) The unauthorised use of any telecommunication services or equipment not approved by the Commissioner.
- (11) Any changes or addition to the software after it has been approved by the Commissioner for use of the Licensee.

- (12) Operating a business for which the Operator has not obtained a licence for that business.

SCHEDULE

The following are the prescribed annual licence fees for Virtual Casino Wagering and Sports Book Wagering -

Type of Licence	Annual fees
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Virtual Casino Wagering	US\$100,000
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Sports Book Wagering	US\$75,000
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Multiple Licensing for
Virtual Casino Wagering -

(i) First virtual gaming licence	US\$100,000
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(ii) Second virtual gaming licence	US\$75,000
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(iii) Third gaming licence	US\$75,000
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(iv) Fourth gaming licence	US\$75,000
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(v) Fifth gaming licence	US\$75,000
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Multiple licence for Sports
Book Wagering -

(i) First Sports Wagering licence	US\$75,000
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(ii) Second Sports Wagering licence	US\$50,000
(iii) Third Sports Wagering licence	US\$50,000
(iv) Fourth Sports Wagering licence	US\$50,000
(v) Fifth Sports Wagering Licence	US\$50,000

Made this 18th day of August, 1997.

Lester B. Bird,
*Minister responsible
for Free Trade Zone.*

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