

Statutory Document No. 2023/0148



*Online Gambling Regulation Act 2001*

# ONLINE GAMBLING (LICENCE FEES) REGULATIONS 2023

*Laid before Tynwald:*

*Coming into Operation: in accordance with regulation 2*

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The Treasury makes the following Regulations under sections 5 and 21 of the Online Gambling Regulation Act 2001.

## 1 Title

These Regulations are the Online Gambling (Licence Fees) Regulations 2023.

## 2 Commencement

These Regulations come into operation on the date on which they are made.<sup>1</sup>

## 3 Interpretation

In these Regulations —

“**full licence**” means a licence other than —

- (a) a sub-licence;
- (b) a software supplier licence; or
- (c) a token-based software supplier licence;

“**licence**” means a licence granted under section 4 (licensing of online gambling) of the Act;

“**licensable services**” means any services which, if they were operated on the Island, would require an online gambling licence;

“**network services**” means services, provided by means of a computer platform on the Island and an associated telecommunications system, enabling

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<sup>1</sup> Under section 21(5) of the Online Gambling Regulation Act 2001 these Regulations shall be laid before Tynwald as soon as may be after they are made; and if Tynwald, at the sitting at which they are laid or the next following sitting, resolves that they be annulled, they shall cease to have effect.

operators outside the Island to use facilities on the Island for the purpose of online gambling;

“**network services licence**” means a full licence that allows the provision of network services;

“**software supplier licence**” means a licence which —

- (a) refers to a “software supplier”; and
- (b) is subject to the conditions in connection with those services specified in the licence;

“**sub-licence**” means a licence granted subject to a condition that the holder conduct online gambling only by —

- (c) using its own licensable services and those of a single full licence holder; or
- (d) using the licensable services of a single full licence holder;

“**token-based software supplier licence**” means a licence which —

- (e) refers to a “token-based software supplier”; and
- (f) is subject to the conditions in connection with those services specified in the licence.

#### 4 **Application fee**

The fee payable to the Treasury on an application for the grant of a licence is £5,250.

#### 5 **Licence fee**

- (1) The annual fee payable by the holder of a licence on the grant of the licence and on each anniversary of the licence is —
  - (a) £36,750 for a full licence or a software supplier licence;
  - (b) £5,250 for a sub-licence; and
  - (c) £52,500 for a network services licence or a token-based software supplier licence.
- (2) If a licence holder applies to the Commissioners to vary its licence so as to provide or cease to provide network services, the Commissioners may issue a new licence to include or omit those services.
- (3) A full licence can include a licence condition allowing software supply without attracting an additional fee.
- (4) A full licence can include a licence condition allowing token-based software supply, in which case the total licence fee payable will be the fee for a token-based software supplier licence.

- (5) The fee for the new licence shall be determined by the formula below, subject to paragraph (6).

$$F = \left( N \times \frac{U}{365} \right) - \left( O \times \frac{U}{365} \right)$$

Where —

F is the fee payable for the new licence;

N is the annual fee for the new class of licence;

O is the annual fee for the licence held by the licence holder prior to the application; and

U is the number of days remaining, at the date of the change of licence, before the next annual licence fee would be payable for that licence.

- (6) If the result of the formula (F) in paragraph (5) is negative —
- (a) no refund is payable, and the new licence is to be issued without a further fee being charged; and
  - (b) the amount by which F is less than zero is to be applied in reducing the next annual licence fee (and so on in subsequent years) until the amount is extinguished.

## 6 Revocation

The Online Gambling (Licence Fees) Regulations 2009<sup>2</sup> are revoked.

MADE 27 APRIL 2023

DR A ALLINSON  
*Minister for the Treasury*

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<sup>2</sup> SD 2009/0257

*EXPLANATORY NOTE**(This note is not part of the Regulations)*

These Regulations set out the application fee and licence fees for licences under the Online Gambling Regulation Act 2001. These Regulations also revoke the Online Gambling (Licence Fees) Regulations 2009.