



Letter of Intent
on bilateral co-operation between
Kansspelautoriteit (The Netherlands Gaming Authority)
and
The Isle of Man Gambling Supervision Commission

By signing this Letter of Intent *Kansspelautoriteit* (The Netherlands Gaming Authority) and the Isle of Man Gambling Supervision Commission (together referred to in this letter as 'the Signatories') express their mutual wish to co-operate, especially with regard to online gambling that inherently crosses the respective state borders of each of the Signatories.

The Signatories acknowledge and approve to co-operate on the basis of a Memorandum of Understanding.

For this purpose, the Signatories approve the content of the Memorandum of Understanding that is attached to this Letter of Intent.

The Signatories express their intention to sign the attached Memorandum of Understanding after the coming into force of the modernised Gaming and Betting Act in the Netherlands.

Kansspelautoriteit (The Netherlands Gaming Authority) will notify the Isle of Man Gambling Supervision Commission of the coming into force of the modernised Gaming and Betting Act in the Netherlands or such other like legislation that contains like provisions.

The foregoing represents the understandings reached between *Kansspelautoriteit* (The Netherlands Gaming Authority) and the Isle of Man Gambling Supervision Commission on matters referred to therein.

Signed in duplicate - only in the English language - in Vilnius (Lithuania) on 6th May 2015.



Maria D. APPELMAN
Chief Executive of
Kansspelautoriteit
(The Netherlands Gaming Authority)



Steve BRENNAN
Chief Executive of the Isle of Man
Gambling Supervision Commission



Kansspelautoriteit

Memorandum of Understanding



Memorandum of Understanding
on bilateral co-operation between
Kansspelautoriteit (The Netherlands Gaming Authority)
and
The Isle of Man Gambling Supervision Commission

1. Purpose and scope

The signatories to this Memorandum of Understanding are *Kansspelautoriteit* (The Netherlands Gaming Authority) and the Isle of Man Gambling Supervision Commission together referred to as "the Signatories".

The Signatories recognise that gaming is an international industry. Therefore the Signatories underline the importance of regulator to regulator co-operation, especially with regard to online gambling that inherently crosses state borders.

The purpose of this Memorandum of Understanding is to provide a basis upon which the Signatories reciprocally decide, upon request, to co-operate in order to minimize complications with regard to licensing, compliance and enforcement, especially in the field of online gambling, and in order to track and trace unlawful gambling.

This co-operation focuses specifically on:

- achieving a high level of protection of consumers (players, minors and other groups of vulnerable people);
- ensuring the preservation of public order (prevention of fraud, money laundering, match fixing and other crimes) and;
- achieving a common understanding of the applicable laws, regulations and requirements, specifically with regard to online gambling.

The scope of this Memorandum of Understanding will therefore cover the exchange of information and other activities with regard to:

- protection of consumers;
- supervision and control of the gambling provider;
- licensing, compliance and enforcement;
- regulatory requirements including data protection.

2. Protection of consumers

The Signatories approve to:

- ensure a high level of consumer protection, including measures against unlawful gambling, misleading advertisement and marketing, and problem gam(bl)ing. In this respect they will develop and establish protocols to facilitate



mutual assistance, cross-checks and regular exchange of information and data concerning for example the unlawful operations of licensees, exclusion or self exclusion registers, and responsible gambling policies and programmes.

3. Supervision and control of the gambling provider

The Signatories approve to:

- require gambling providers holding licenses in both jurisdictions to provide the Signatories with free and open access to premises, servers, data (including relevant customer data and behaviour) and documentation during on-site inspections and/or investigations;
- share relevant operational information originating from regular reports or inspections of licensees holding licenses in both jurisdictions;
- share information pertaining to investigations, disciplinary sanctions (administrative fines, warnings and other measures) and legal actions taken against licensees who hold licenses in both jurisdictions.

Such exchange of information set out in this paragraph shall be subject to any provision of statute, rule or regulation pursuant thereto including data protection.

4. Licensing, compliance and enforcement

The Signatories approve to:

- share any due diligence information they might hold on applicants for licenses in their respective jurisdictions;
- share the extent to which an applicant for a licence in one jurisdiction who already holds a license in the other is compliant with all the regulatory requirements of the jurisdiction in which the license is held;
- co-operate in the enforcement of their gambling laws with a view to preventing unlawful gambling or practices from taking place in either jurisdiction;
- co-operate in order to enforce administrative fines, warnings and other measures.

5. Regulatory requirements

The Signatories approve to:

- co-operate to establish a common understanding of the regulatory requirements, standards and processes enforced in their jurisdictions, especially with regard to online gambling, in order to prevent fraud, money laundering, match fixing and other crimes;



- establish a common understanding of the requirements, standards and processes enforced in their jurisdictions for the certification of gambling equipment purposes;

6. *Miscellaneous matters*

- this Memorandum of Understanding does not create any rights or obligations under international law;
- all activities arising from this Memorandum of Understanding are to be undertaken collaboratively and only if permitted or not prevented under applicable laws and protocols of the respective jurisdictions or relevant Community (i.e. European) legislation, protocols or case-law;
- both Signatories will ensure that, to their best of knowledge, shared information is as accurate, up to date and adequate as possible for the purpose disclosed;
- both Signatories approve that shared information will only be used for the purpose disclosed and should only be retained for the legally obliged period;
- when members of the public have cause for complaint against activities generated by the operation of this Memorandum of Understanding, any complaint received by either of the Signatories should be forwarded to the other for consideration;
- this Memorandum of Understanding will come into effect upon signature and will continue in operation until terminated by either Signatory (on one month's written notice to the other Signatory);
- the Signatories will keep the operation of this Memorandum of Understanding under review and within 18 months from the conclusion of the Memorandum of Understanding will propose necessary amendments with a view to improving its operation and resolving any matters.

7. *Signature*

The foregoing record represents the understandings reached between *Kansspelautoriteit* (the Netherlands Gaming Authority) and the Isle of Man Gambling Supervision Commission on matters referred to therein.

Signed in duplicate - only in the English language - in (...) on (...).

Maria D. APPELMAN
Chief Executive of
Kansspelautoriteit
(The Netherlands Gaming Authority)

Steve BRENNAN
Chief Executive of the Isle of Man
Gambling Supervision Commission