



Isle of Man
Government
Reiltys Ellan Vannin

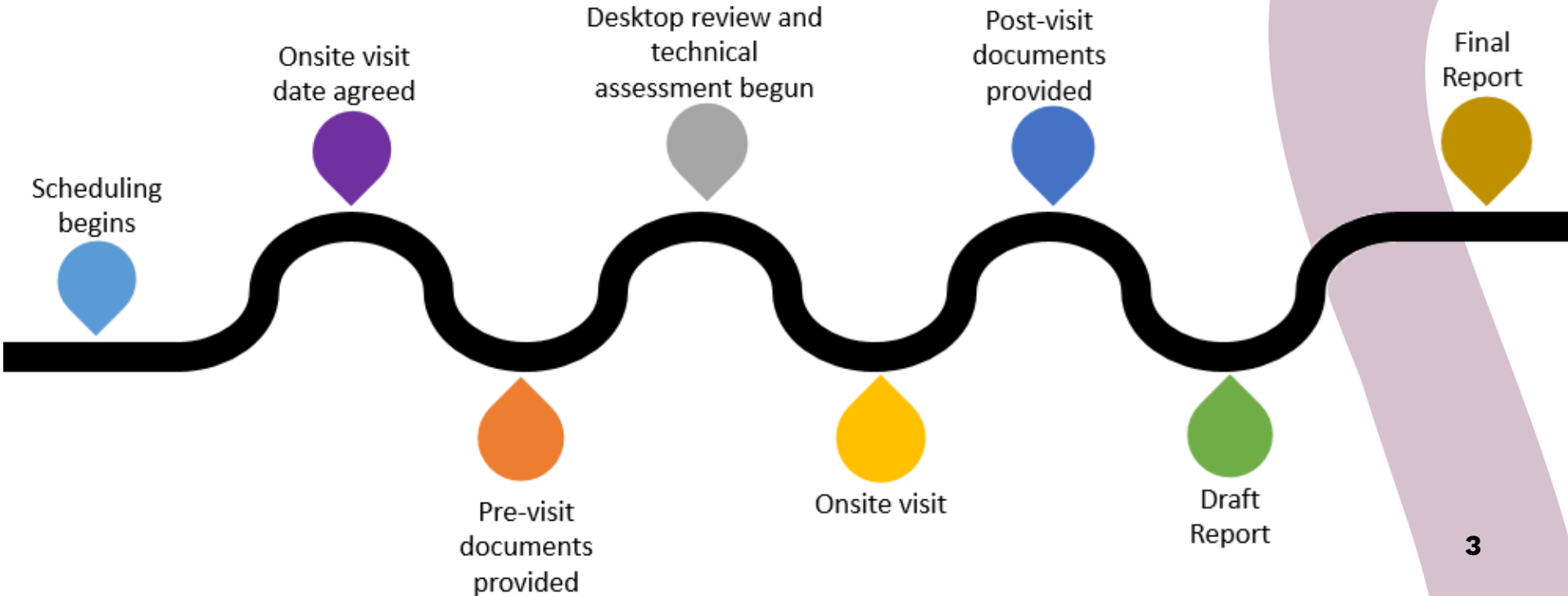
Enforcement Overview

12 June 2024

Agenda

- **Steve Brennan** - Chief Executive GSC
- **Nic Libreri** - Director AML CFT Inspections & Enforcement
- **Nigel Boyde** – Senior Inspector of Enforcement
- **Q & A Panel**

Inspections roadmap



Referral Factors

- Compliance history
- Materiality
- Risk to the IOM's reputation
- Deliberate or reckless behaviour
- Time period



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Enforcement

Nigel Boyde – Senior Inspector

Evolution *not* Revolution

- No new legislative powers
- We are still here to listen and understand
- Remediation remains key
- Strategy and Policies have been benchmarked against peers
- It is hoped that the new documents provide greater clarity and transparency around the exercise of our powers
- The new framework (DMP) further ensures safeguards to your rights
- Settlement – a new regime for the prompt conclusion of matters



Enforcement Strategy

- “...fair and proportionate”
- “..human rights and natural justice”
- Obligation on any Operator to achieve “highest standards of regulatory compliance, governance and risk management”
- “credible deterrent”
- GSC Regulatory objectives paramount
- Firm or individual

STRATEGY



How does a matter become subject to enforcement

- Case selection (page 6 of strategy)
- Case and facts specific
- Internal referral mechanism
- Compliance history



Decision-Making Process

- Enforcement are not 'judge, jury and executioner'
- Opportunities to make representations
- Assumptions challenged at every step
- Protects the rights of each subject
- Where facts agreed – settlement can be discussed



Settlement

- Agreed set of facts
- No known unknowns
- Why it is important to document the agreed facts
- discount



Civil Penalties

- Consistent with 4th EU ML Directive (£1m or 2 x benefit derived)
- In line with peers
- Reflect penalty level conviction
- Greater discounts when self-reporting
- Gives more certainty as to potential penalty amount
- 4 bands reflects 'seriousness'



Publication Policy

- Maximises the delivery of a credible deterrent
- Raises awareness of regulatory standards and re-sets behaviours
- Alerts stakeholders
- Instils public confidence in the market and the regulator
- Enables transparency and accountability in our regulatory decisions



Recap/summary/key takeaway

- Evolution not revolution
- Modern framework representing current regulatory practice amongst our peers
- Civil penalties provide greater detail and match our immediate peer jurisdiction
- Safeguard your rights
- You control whether they have to be utilised or not
- We will not shy away from utilising our regulatory toolkit whenever necessary – it is incumbent upon any regulator
- We take responsibility - it is our duty to protect the Island's reputation

Contact us



gscenforcement@gov.im



www.isleofmangsc.com



Isle of Man Gambling Supervision Commission