



CASINO (AMENDMENT) BILL 2017

EXPLANATORY NOTES

These Notes have been produced for the assistance of Members with the approval of the Member in charge of the Bill, Mr Cannan MHK.

INTRODUCTION

1. These explanatory notes relate to the Casino (Amendment) Bill 2017. They have been prepared by the Treasury in order to assist readers of the Bill. They do not form part of the Bill and have not been endorsed by the House of Keys.

2. The Notes need to be read in conjunction with the Bill. They are not, and are not meant to be, a comprehensive description of the Bill.

BACKGROUND

3. The Casino Act 1986 legislates for the oversight of a casino licence holder by the Gambling Supervision Commission and for the provision of gaming at casinos in the Isle of Man.

If passed, the Casino (Amendment) Bill 2017 will make an amendment to the Island's existing Casino Act 1986 to permit the revocation of a casino licence in cases of non-compliance with money laundering and financing of terrorism legislation; to permit the premises in which casinos are located and the facilities and amenities provided under casino licences to be varied; to permit the Council of Ministers additional discretion in relation to deposits for concessions; and for connected matters.

4. The Bill has been the subject of a consultation exercise with stakeholders which elicited no response. Having consulted on the policy behind the change previously this was expected.

5. In the opinion of the Member moving the Bill its provisions are compatible with the Convention rights within the meaning of the Human Rights Act 2001.

FINANCIAL EFFECTS OF THE BILL

6. It is not anticipated that the Bill will result in any increase in public expenditure or a decrease in public revenue, nor will there be direct financial implications for a casino licence holder.

7. An impact assessment of the effects of the changes made by the Bill has been prepared by the Gambling Supervision Commission and is available from the Commission upon request.

CLAUSE BY CLAUSE NOTES

Clause 1

8. This clause gives the short title to the Act which will, if enacted, result from the Bill.

Clause 2

9. This clause provides that the Act will come into operation via an Appointed Day Order.

Clause 3

10. This clause provides for the Act to expire on the day after its promulgation, if all its provisions are in operation, or else after the last provision is brought into operation. This is to prevent 'dead wood' littering the Statute Book.

Clause 4

11. This clause provides for the Casino Act 1986 to be amended to provide for a casino licence to contain a requirement to the effect that the holder of the licence must during the currency of the licence comply with AML/CFT legislation.

By "AML/CFT legislation" is meant a number of pieces of legislation connected with the prevention of money laundering and with terrorist financing. These pieces of legislation are listed in a new subsection which provides the definition of the expression.

The clause also confers new powers upon the Isle of Man Gambling Supervision Commission to require the holder of a licence to satisfy it that the holder has complied with the new obligations in relation to money laundering. This is brought about by means of an amendment to subsection (3)(d).

Clause 5

12. This clause provides for the amendment of section 5A of the Casino Act 1986 to provide for the variation (with the approval of the Council of Ministers) of the premises specified in a casino licence or any associated premises. The provision also allows the Board to vary, with the consent of the holder of the licence and the Council of Ministers, the facilities and amenities to be provided at the casino or any associated premises.

Clause 6

13. This clause provides for section 14 of the Casino Act 1986 to be amended to alter the current requirement upon the Council of Ministers to obtain a deposit of an amount equal to 20 per cent of the estimated total cost of the provision of the premises to be used as a casino before granting a concession so that this becomes a power to require a deposit.