

TURKS AND CAICOS ISLANDS

GAMING CONTROL (AMENDMENT) ORDINANCE 2020

(Ordinance 38 of 2020)

ARRANGEMENT OF SECTIONS

SECTION

1. Short title and commencement
2. Interpretation
3. Section 3 amended
4. Section 7 amended
5. Section 9 amended
6. Section 19 amended
7. Section 28 amended
8. Section 29 amended
9. Section 38 amended
10. Section 45 amended
11. Section 101 amended
12. Section 166 amended
13. Section 171 amended



TURKS AND CAICOS ISLANDS
GAMING CONTROL (AMENDMENT) ORDINANCE 2020
(Ordinance 38 of 2020)

Assent 22nd December 2020
Publication in Gazette 24th December 2020
Commencement in accordance with section 1

AN ORDINANCE TO AMEND THE GAMING CONTROL ORDINANCE.

ENACTED by the Legislature of the Turks and Caicos Islands.

Short title and commencement

1. (1) This Ordinance may be cited as the Gaming Control (Amendment) Ordinance 2020 and shall come into operation on such day as the Governor may appoint by Notice published in the *Gazette*.

(2) Different dates may be appointed for different provisions and different purposes.

Interpretation

2. In this Ordinance “principal Ordinance” means the Gaming Control Ordinance 2018.

Section 3 amended

3. Section 3(3) of the principal Ordinance is amended by inserting the word “record” immediately before word “check”.

Section 7 amended

4. Section 7(1) of the principal Ordinance is amended in paragraph (a), by repealing the words “gambling industry” and substituting “gaming industry”.

Section 9 amended

5. Section 9(2)(d) of the principal Ordinance is amended by deleting the words “sections 14, 15 and 16” and substituting “sections 14, 15 or 16”.

Section 19 amended

6. Section 19(5) of the principal Ordinance is amended by repealing the word “the” appearing in the fourth line.

Section 28 amended

7. Section 28(5)(k) is amended by inserting the word “be” after the word “may”.

Section 29 amended

8. Section 29(3) is amended by repealing the words “Commission may” and substituting “Minister may, after consultation with the Commission,”.

Section 38 amended

9. Section 38(1) of the principal Ordinance is amended by repealing the words “, as may be prescribed”.

Section 45 amended

10. Section 45(1) of the principal Ordinance is amended by repealing paragraph (a) and substituting—

“(a) provides food or beverage services, or both, meeting the standards set by the Board;”.

Section 101 amended

11. The principal Ordinance is amended—

(a) in subsection (1), by repealing paragraphs (b) and (c) and substituting—

“(b) when the gaming operator enters into a cash transaction with a patron involving \$3,000 or more in a single transaction, or a structured transaction;

(c) when the gaming operator receives a sum of \$3,000 or more in a single transaction account, or in a structured transaction, to be deposited in a patron account;”; and

(b) by repealing subsections (5) and (6); and

(c) by inserting immediately after subsection (7), the following—

(8) For purposes of this section, “structured transaction” means to break up a series of transactions that could have been treated as a single transaction, in order to avoid an obligation either to report or generally to avoid regulatory oversight.”.

Section 166 amended

12. Section 166(2) of the principal Ordinance is amended by repealing paragraph (d).

Section 171 amended

13. Section 171 of the principal Ordinance is amended—

(a) by repealing subsection (1) and substituting—

“(1) To ensure the integrity of gaming and the consistent, effective and efficient regulation of the gaming industry in the Islands, all licences of a term of one year issued under any of the Ordinances repealed under section 170, shall expire on 31 December, following the date of commencement of this Ordinance.”;

(b) by repealing subsection (4) and substituting—

“(4) Any gaming operator seeking to continue operations after the expiry of their licence may make an application for a licence under this Ordinance.”; and

(c) by repealing subsections (8), (9) and (10) and substituting—

“(8) A person who is employed as a public officer in the Gaming Inspectorate under the Ministry responsible for tourism shall be transferred to and be employed by the Commission effective 1 January 2021.

(9) A transfer of employment under subsection (8) shall be in accordance with the terms and conditions approved by the Commission, after consultation with the staff of the Gaming Inspectorate, the Commission and the Human Resource Management Directorate of the government.

(10) The administration of the Casino Ordinance, the Gaming Machines Ordinance, the Gaming (Occasional Permissions) Ordinance and the National Lottery Licence, which is currently being conducted

by the Gaming Inspectorate, shall be conducted by the Commission until the commencement of this Ordinance.

(11) For the avoidance of doubt, administration of the Ordinances referred to under subsection (10) by the Commission does not change the authority of the person authorised to issue the licences under the respective Ordinances, and as such the licensing authority remains as is provided under the existing Ordinances, until this Ordinance comes into force.

(12) Every application for a casino licence which has been made under the Casino Ordinance shall be processed and completed under the Casino Ordinance, but in the process of the application consideration shall be given to the requirements for a casino licence under this Ordinance.

(13) A casino licence processed and issued in terms of subsection (12), shall be subject to the same conditions provided for existing licences under subsections (2) and (3). ”.
