



To: License holder under the NOOGH

<i>Date</i>	<i>Contact</i>	<i>Email</i>
December 15th, 2023	Karine Murray	karine.murray@gobiernu.cw

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*Subject*

Update on transition process  
for online games of chance

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*Attachments:* -

### Online Games of Chance Framework Transition Process

As the new bill for the regulation of games of chance ("LOK") will soon be presented to parliament, it is necessary to facilitate a seamless transition from the existing framework to a transitional system in anticipation of the law's entry into force. Our government is committed to minimizing any disruption to this process and, therefore will, inter alia, grant current sub-license holders a limited timeframe to transition their contractual arrangements with existing license holders into stand-alone licenses to provide online games of chance. The Curacao Gaming Control Board ("GCB") as gaming regulator, is therefore charged with implementing the following:

#### Registration of sub-licensees and application on the Online Portal

The registration of sub-licensees on the portal and the subsequent application for a direct license, if desired, will only be possible until March 31st, 2024. Applying for a direct license prior to this date is recommended to ensure a transition into the new framework. The license of an operator who obtained a direct license from the GCB under the current law, prior to the LOK entering into force, will automatically be converted to a provisional license when the law enters into force.

Any operator wishing to continue operating in Curacao but has not applied for a direct license from the GCB prior to March 31<sup>st</sup> 2024 can only continue operating under their sublicense until the master license expires or when the LOK enters into force, whichever date is sooner. Such sublicensee will not be able to obtain a direct license under the current law anymore and will need to apply for a new license under the LOK.

Current license holders must ensure that after the 31<sup>st</sup> of March, 2024, any operator who has not been registered on the portal is not permitted to operate unless it is satisfied that an application has been made on its behalf.



### Curtailment of Extensions of Current Online Games of Chance Licenses

The GCB has renewed all current online game of chance licenses, of which the first will expire in August 2024 and the last one in January 2025. Irrespective of the date of entry into force of the LOK, the GCB will no longer renew the current online games of chance licenses on the same terms and conditions as currently apply. Up until the license of a current license holder expires, or the LOK enters into force, whichever is the sooner, such license holder is permitted to let third parties provide B2C online games of chance under their license as a so-called sublicense.

### GCB Certification Digital Seal

As from January 1st, 2024, upon obtaining a license from the GCB, a license holder is allowed to use a Digital Seal on their website issued by the GCB pursuant to a Digital Seal Policy of the GCB. In addition, the GCB has the discretion to permit registered applicants who have submitted a license application for a direct license under the current law to display a Digital Seal of the GCB on their website pending their application being determined. Such Digital Seal may only be used by the applicant when the GCB has performed its initial due diligence on the applicant to a satisfactory degree, as stated in the Digital Seal Policy of the GCB. Such a policy will be published shortly.

Current license holders under the existing regime are responsible for actively monitoring their sublicensees to ensure they do not display the Digital Seal without authorization. The GCB will take enforcement measures against license holders found to be in violation of this policy.

### Transfer of Players

The GCB acknowledges the existing circumstances regarding the legal ownership of player data. Consequently, the GCB is formulating a policy relating to player data ownership for operators wishing to obtain a direct license from the GCB under the current law as it will be required for each licensed operator to own its player data. Given this may result in the need to transfer the player data ownership to the license applicant, it is recommended that the current license holders promptly enter into arrangements with the operators where needed in order to allow for sufficient time (minimum eight weeks) for the transfer of players to occur, prior to the expiry of the current license to mitigate any potential legal complications.

### Official source of information

It has been brought to my attention that some operators are receiving information which seems to be contradictory to what has been published by the Ministry of Finance or the GCB. I would like to confirm that only the Ministry of Finance and the GCB are official sources of information and that operators should be referred to official sources for any information on the reform of the license framework and transitional arrangements.

Sincerely,

Mr. drs. Javier Sylvania  
Minister of Finance