

Údarás Rialála
Cearrbhachais
na hÉireann

Gambling
Regulatory
Authority
of Ireland

Guidance on Relevant Obligations for Business to Consumer Licensees

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Purpose of Guidance

This document provides practical guidance to Business to Consumer (“B2C”) licensees on the application of the conditions and obligations set out in the Gambling Regulation Act 2024 (the “Act”) and in regulations made under the Act. It does not address or impact any other obligations arising outside of the Act.

It should be read with any other guidance published from time to time by the Gambling Regulatory Authority of Ireland (GRAI).

The guidance set out in this document is not exhaustive. It will be subject to ongoing review by the GRAI to take account of further developments and regulatory policy.

It does not contain legal advice. Licensees should seek their own legal advice on the interpretation and application of conditions and obligations set out in the Act or in regulations. The guidance reflects the GRAI’s current understanding of the relevant provisions. It is not an authoritative or binding interpretation of the Act or any regulations. The guidance in this document (as may be amended) may in the future be contained in a Code of Practice made under section 31 of the Act.

What are conditions and obligations?

This document identifies the conditions and obligations that apply to B2C licensees under the Act or by way of regulations made under the Act, save for the obligations relating to advertising which are contained in a separate guidance document. Licensees must comply with these conditions and obligations.

Collectively, these conditions and obligations are referred to in the Act as “relevant obligations”.

Conditions are the requirements attaching to gambling licences by virtue of particular provisions of the Act or by virtue of regulations made under section 129. Further conditions may be imposed on a gambling licence as a result of enforcement action taken by the GRAI against the licence holder.

Obligations include any other requirement imposed on licensees under the Act or in regulations.

Who do these conditions and obligations apply to?

They apply to B2C licensees.

What are the possible consequences of a breach of these conditions or obligations?

If a licensee breaches an obligation under the Act, there are different ways that the GRAI can deal with this. Breaches of some obligations can amount to criminal offences, and licensees can be prosecuted. If there is a summary prosecution taken by the GRAI, the potential penalty is a fine of up to €5,000 or imprisonment for a period of up to 12 months, or both. If there is a conviction on indictment, the potential outcome is a fine or imprisonment for a period of up to 5 or 8 years (depending on the offence), or both a fine and imprisonment.

The GRAI can also take separate enforcement action (not criminal) under the Act for a breach of any obligation or condition by a licensee. This could lead to outcomes such as:

- ▶ a notice of non-compliance issuing to a licensee requiring them to comply,
- ▶ the imposition of conditions on a licence,
- ▶ the suspension or revocation of a licence,
- ▶ a financial penalty of up to €20,000,000 or 10 per cent of the turnover of the licensee (whichever is greater).

When will these conditions and obligations take effect?

The GRAI is adopting a phased approach to the opening of licensing with some licence category types opening first (e.g. betting) and other licence category types opening shortly after.

The majority of the conditions and obligations will take effect when the GRAI opens for licensing. Save for those obligations which apply also to non-licensees, conditions and obligations will only apply once an operator has been issued with a licence from the GRAI. Once a licensee obtains a licence, they will have to comply with the conditions and obligations that have taken effect.

The conditions and obligations that have taken effect and which will apply to licensees once they are granted their licence are as follows:

[THIS DOCUMENT WILL BE UPDATED REGULARLY AS AND WHEN RELEVANT CONDITIONS AND OBLIGATIONS TAKE EFFECT]

Some obligations will not have commenced upon the GRAI issuing particular licences (e.g. obligations relating to the National Gambling Exclusion Register). These obligations will commence on a date to be confirmed. Licensees will be notified in advance of this.

Some obligations will also require regulations in order to have effect (e.g. the requirement to lodge money in a gambling account (section 170 of the Act)). It may be the case that these regulations will not be in place when the GRAI opens for licensing or when particular licences are issued. However, these obligations will take effect once the regulations are made and licensees will have to comply from that point. Licensees will be notified in advance of any such regulations being made, and of any additional obligations being imposed.

What are the conditions and obligations under the Act and regulations that must be complied with?

These are, as follows:

Section 45

National Gambling Exclusion Register

The Authority will establish a National Gambling Exclusion Register (“NER”) which will contain information on persons who have excluded themselves from participating in remote gambling activities.

Remote gambling licensees will be able to view the information contained in the NER in real time once it becomes operational.

The Authority may require remote gambling licensees to take specified action to promote the NER.

Once notified by the Authority that an account-holder with the licensee has entered themselves on the NER, the licensee must refund any money in that person's account within 7 days from the date specified in the notice.

It will be a criminal offence to fail to comply with this refund requirement.

Section 45 of the Act can be found [here](#).

Section 46

Obligations of licensee to person whose name is entered on National Gambling Exclusion Register

If information relating to a person has been entered on the NER, a remote gambling licensee must not, once that person is excluded from participation in remote gambling activities and during any time they are on the NER, do any of the following:

- a. Provide a remote gambling activity to that person.
- b. Accept a payment from that person in respect of a remote gambling activity.
- c. Communicate with the person in a way that invites (or has the effect of inviting) them to participate in a remote gambling activity.

A person will be excluded from participation not earlier than one day after their information has been entered on the NER. The NER will specify the date of exclusion.

If the remote gambling licensee cannot view the information in the NER in real time (for a reason other than a systems failure in the operation of the NER in real time), it shall not do any of the activities referred to in (a) to (c) above during the period the licensee is unable to view the information.

It is a criminal offence not to comply with these obligations.

Section 46 of the Act can be found [here](#).

Section 67

Prohibition on providing betting activity, game or lottery

Licensees must not provide a betting activity, a game or a lottery otherwise than in accordance with their licence.

Licences will specify (amongst other things) the following:

- ▶ The relevant gambling activity the licensee can provide (e.g. in-person betting, remote betting, remote betting intermediary, in-person gaming, remote gaming, in-person lottery, remote lottery).
- ▶ The events, series of events or class of events in respect of which a betting licensee can provide pool betting.
- ▶ The games a gaming licensee can provide.
- ▶ The number of gaming machines a gaming licensee can use to provide games.

It is a criminal offence not to comply with this requirement.

Section 67 of the Act can be found [here](#).

Practical Examples

- ▶ A licensee who is only licensed to provide in-person betting activities cannot provide remote betting activities.
- ▶ A licensee who is only licensed to provide in-person gaming activities cannot provide remote gaming activities.
- ▶ An in-person betting licensee licensed to provide pool betting in respect of a series of events commencing on 1 July and concluding on 1 October in a given year cannot provide pool betting activities after 1 October.
- ▶ An in-person gaming licensee licensed to have 20 gaming machines on their premises to provide gaming activities cannot have more than 20 gaming machines in use.

Section 74

Cheating at a relevant gambling activity

A person who cheats at a relevant gambling activity is guilty of a criminal offence.

It is irrelevant whether the person who cheats makes a gain or improves their chances of making a gain.

Cheating includes interfering or manipulating with:

- a. The process by which a relevant gambling activity is provided.
- b. A relevant gambling product or relevant gambling related service being used for a relevant gambling activity.
- c. An event to which a relevant gambling activity relates.
- d. The outcome of a relevant gambling activity.

Section 74 of the Act can be found [here](#).

Practical Examples

Examples of what may be considered as cheating are as follows:

- ▶ Using manipulated gaming apparatus, such as rigged roulette wheels, loaded dice or decks of cards with non-standard compositions or false shuffling
- ▶ Misstating the chances of winning, thereby inducing individuals to gamble under false pretences
- ▶ Exploiting software to pay out lower returns than the advertised rates

Section 110

Display and production of gambling licence

Every licensee is issued with a gambling licence. They may be issued with more than one licence depending on the gambling activities the licensee is permitted to provide (e.g. betting, games or lotteries) and the manner in which the activities may be provided (i.e. whether in-person or remote). Each licence will have a registration number.

In-person licences must be displayed in a prominent location at each of the licensee's premises.

Remote licences must be displayed in a prominent location on the licensee's on-line platforms.

Practical Examples

- ▶ In-person betting licensees must display their in-person betting licence at each premises where they provide betting activities. Gambling licences may be a number of pages in length when appendices are included. In-person gambling licensees need not display the appendices but they should be stored in an easily accessible location so that they can be presented on request.

What is a prominent location?

This will vary depending on the type of gambling licence you hold but at a minimum it must be visible and accessible.

Practical Examples (cont.)

- ▶ Remote gaming licensees must display their remote gaming licence on each platform (e.g. website, mobile application etc.) from which they provide remote gaming activities.
A remote gaming licensee might operate a gaming website and a gaming app. Participants can participate in remote gaming activities on the website and gaming app. The licensee must ensure that a copy of the licence is visible in a prominent location on the website and gaming app.
- ▶ For licensees with an in-person betting licence and a remote betting licence, the licensee must ensure that the in-person licence is displayed at each premises they provide in-person gambling activities, and the remote gambling licence is displayed on each platform (e.g. website, mobile app etc.) from which they provide remote gambling activities.
- ▶ For licensees with a remote betting licence and a remote gaming licence, the licensee must ensure that the remote betting licence and the remote gaming licence are displayed on each platform from which they provide remote betting and remote gaming activities.

Licensees must include the relevant licence registration number in all business correspondence and advertisements relating to their gambling activities.

Authorised officers of the GRAI can request to see a copy of a licensee's gambling licence. Licensees must provide a copy of their gambling licence to an authorised officer when requested to do so.

It is a criminal offence not to comply with these requirements.

Section 110 of the Act can be found [here](#).

Section 129

Regulations

The GRAI may make regulations under section 129 imposing additional conditions on B2C licences.

This document will be updated to include these additional conditions as and when section 129 regulations are made.

Section 129 of the Act can be found [here](#).

Section 131

Conditions attaching to B2C gambling licences

A B2C gambling licence is granted subject to the following conditions:

- a. Licensees having the financial capacity to provide the relevant gambling activity and to fund winnings.
- b. Licensees funding winnings from lawful activities.
- c. Licensees, relevant officers and beneficial owners continuing to be a fit and proper person to hold the licence concerned.
- d. Licensees providing a relevant gambling activity (meaning the activity authorised under their licence).
- e. Payments and winnings not exceeding the maximum limits set out for certain gambling activities in Schedule 3 of the Act.
- f. Where such maximum payments and winnings apply, they must be displayed at a prominent location at each premises and on each on-line platform where the activity can be accessed.

- g. Licensees notifying the Authority of certain changes to the information given under section 102 (being information about licensee's software and information and communications technology hardware). Licensees will only be required to notify the changes specified by the Authority by way of notice published on its website. Such notification will be required within 7 days of a relevant change.
- h. If the licensee notifies the Authority of any change of information given under section 102, the Authority being satisfied that the licensee can still view in real time the information on the NER and that the software used is still in compliance with standards published under section 123.
- i. Licensees paying, within 30 days of the notice issued under section 41(5), the charge imposed to fund the operational costs of the Authority.

Section 131 of the Act can be found [here](#).

Section 132

Notice to Authority of change of information given under section 98(1)

Licensees who apply for an in-person gambling licence (or who apply for renewal or to add a premises to that licence) are required to provide information about the premises where the gambling activities will take place. This information is set out in section 98(1) of the Act.

Licensees must notify the Authority of any changes to that information which are specified by the Authority by way of notice published on its website. This notification will be required within 7 days of a relevant change.

Section 132 of the Act can be found [here](#).

Section 133

Notice to Authority of change in information given under section 102

Licensees who apply for a remote gambling licence (or who apply for renewal) are required to provide the following information about the software and information and communications technology hardware they use:

1. The location and type of information and communications technology hardware
2. The software used to facilitate real time access to the NER

3. Once section 123 standards are in effect, information as to the software used and whether it has been manufactured, installed, maintained or upgraded by the licensee or a third party.

Licensees must notify the Authority of any changes to this information which are specified by the Authority by way of notice published on its website. This notification from licensees will be required within 7 days of a relevant change.

Section 133 of the Act can be found [here](#).

Section 134

Additional conditions: Business to Consumer gambling licences

B2C gambling licences are also granted subject to the following conditions:

- a. That the licensee (other than a licensee for a once-off lottery) establishes and maintains a Segregated Customer Account (in accordance with the requirements outlined in section 135 below).
- b. Where children are permitted on a premises under the licence, compliance with any conditions imposed by the Authority under section 100(3) relating to that permission.

- c. Where the Authority makes a determination as to the number and location of ATMs that are permitted on a premises (if any), compliance with that determination and compliance with any conditions imposed by the Authority under section 101(3).

Practical Examples

An in-person gaming licensee is permitted to have an ATM on their premises, however, if they are found to have more than they are permitted, the licensee will be in breach.

- d. That the licensee complies with section 132 outlined above (notice to the Authority of a change of information given under section 98(1) of the Act).
- e. That, where the Authority receives notice of a change of information under section 132 of the Act, the Authority continues to be satisfied that the premises continues to be appropriate for use for the gambling activity concerned.

Section 134 of the Act can be found [here](#).

Practical Examples

An in-person gambling licensee is permitted to allow children on their premises and the Authority imposes a condition that children must be accompanied by a person over the age of 18. If the licensee fails to ensure that children are so accompanied, they will be in breach of a condition of their licence.

Section 135

Establishment and maintenance of Segregated Customer Account

Licensees must open and maintain a single account with a regulated financial service provider to hold customer funds. This account is referred to in the Act as a "Segregated Customer Account".

The Segregated Customer Account will hold the following funds -

- ▶ Money held with the licensee by account-holders and in-person participants in gambling activities.
- ▶ Payments made by participants in connection with gambling activities that haven't completed yet.
- ▶ Winnings not paid out by licensees.

Licensees can only access the funds in a Segregated Customer Account in the following circumstances:

- ▶ When given permission from the account-holder or the in-person participant.
- ▶ When the gambling activity has been completed.
- ▶ To pay out winnings.

A licensee can therefore only access payments made to it by participants after the gambling activity has completed and only to the extent that the payment is not required to fund winnings.

Licensees must keep up to date records in relation to the Segregated Customer Account, which enable the identification of:

- ▶ The amount standing to the credit of each account-holder and in-person participant.
- ▶ The total amount of payments held.
- ▶ The amount of winnings that have not been paid out by a licensee.

The GRAI may make regulations under section 136 imposing additional obligations in relation to Segregated Customer Accounts. Licensees will be notified in advance of these regulations being made and will have an opportunity to engage in consultation on draft regulations.

It is a criminal offence not to comply with any of the obligations relating to Segregated Customer Accounts.

Section 135 of the Act can be found [here](#).

Section 138

Additional conditions: lottery licences

Lottery licensees must ensure that every lottery ticket contains the name and address of the licensee together with any other information prescribed by the Authority in regulations.

Where the lottery licence is for a once off lottery, the lottery must be held on the date provided to the Authority when making an application for a once of lottery.

Section 138 of the Act can be found [here](#).

Section 142

Not to engage a child as employee

A licensee must not engage or employ or cause a child to be engaged or employed to provide gambling activities. A child is a person under 18 years of age.

Section 142 of the Act can be found [here](#).

Section 152

Obligation on licensees to maintain records and accounts

The GRAI will make regulations setting out the records and accounts that a licensee must keep (in addition to the records which must be kept in relation to Segregated Customer Accounts). Licensees will be notified in advance of these regulations taking effect.

Section 152 of the Act can be found [here](#).

Section 153

Obligation to notify Authority of changes

Licensees are required to notify the Authority in writing within 7 days of a “material event”.

What is a material event?

1. A change in the relevant officers or the beneficial owners of the licensee.
2. A change to the licensee's address for the receipt of notices under the Act.
3. The licensee or any beneficial owner or relevant officer is convicted of an offence listed in Schedule 1 of the Act, or proceedings against them have been taken in relation to any such offence.

4. A finding, or proceedings taken against the licensee or any beneficial owner or relevant officer by a regulatory authority, court, or tribunal outside of Ireland of a breach of a legal obligation relating to the conduct of gambling activities, or a sanction imposed in relation to that breach.
5. A change in the licensee's financial circumstances that impacts the licensee's capacity to provide gambling activities, fund winnings or to comply with any of the matters identified in this guidance.

Section 153 can be found [here](#).

Section 155

Obligation to pay out winnings

A licensee must not unreasonably withhold the payment of winnings.

The following are examples of situations where licensees might be said to be reasonably withholding winnings:

- ▶ The licensee becomes aware of a suspicious gambling pattern in relation to the gambling activity (i.e., an attempt to influence its outcome).
- ▶ The participant has breached reasonable contractual terms and conditions imposed by the licensee. It is considered best practice for the licensee to have an internal complaints or disputes process in place to deal with such matters in the first instance.

Section 155 can be found [here](#).

Section 156

Obligation to notify Authority of suspicious gambling patterns

If a licensee becomes aware of a suspicious gambling pattern (i.e., an attempt to influence the outcome of a relevant gambling activity) they must do the following:

- a. Stop accepting payments in relation to the gambling activity concerned.
- b. Issue a note in writing (and keep copies) to each person who attempts to make a payment stating that the licensee will no longer accept payment in relation to that gambling activity.
- c. Notify the Authority as soon as possible about the suspicious gambling pattern and confirm that they are no longer accepting payments.
- d. Provide the Authority with a copy of the note issued under b. above and any other records relating to the suspicious gambling pattern.
- e. Inform An Garda Síochána of the suspicious gambling pattern as soon as possible.
- f. Not pay out winnings on the relevant gambling activity until the Authority has confirmed they can do so.

It is a criminal offence not to comply with any of the requirements at a, b, c, e and f.

Section 156 can be found [here](#).

What is a suspicious gambling pattern?

A suspicious gambling pattern is a pattern that suggests there is an attempt to influence the outcome of the gambling activity.

Practical Examples

- ▶ Placing bets on events where the integrity of that event is later called into question by an official body
- ▶ The placing of bets by individuals who are involved in that event i.e. someone placing a bet on a competition in which they could influence the outcome
- ▶ A large and sudden volume of bets placed on a particular outcome, especially on obscure markets that typically have low volumes of activity

Section 157

Offering inducement to gamble

An inducement means a benefit or advantage the intent of which is, either directly or indirectly, to encourage participation in gambling (e.g. free bets, money back guarantees etc).

A licensee can only offer inducements to the general public. They cannot be offered to a person or to specific groups of persons.

Further regulations regarding inducements that may be offered to the general public may be introduced in the future.

It is a criminal offence to offer inducements in breach of these restrictions.

Section 157 of the Act can be found [here](#).

Practical Examples

- ▶ A licensee cannot select a number of loyal customers and offer them free bets or any other benefit to encourage them to gamble.
- ▶ A licensee cannot offer a reward or loyalty scheme for customers who bet a certain volume over a particular period of time

Section 158

Not to permit a child to participate in gambling activities

A licensee must not permit a child to participate in gambling activities.

There are different ways for licensees to ensure that children do not participate in gambling activities.

For in-person licensees, if the licensee has any doubt about whether the participant is 18 years old, they should seek appropriate identification containing the name, date of birth and photo (e.g. passport, driving licence) from the participant before allowing them to participate in a gambling activity.

For remote licensees, there is a separate requirement (under section 169 of the Act) that all participants must open an account before engaging in gambling activities. As part of the application to open an account, licensees must request appropriate identification from participants (see section 169 referred to below for more details on this). Remote licensees must be satisfied that the person opening a gambling account is over the age of 18.

If a child is permitted by a licensee to participate in gambling activities, unless the licensee proves that they were reasonably mistaken that the child was over the age of 18, they will be guilty of an offence.

Section 158 of the Act can be found [here](#).

Practical Examples

- ▶ A betting operator should not accept a bet from a person unless they are satisfied that they are over 18, having sought appropriate identification from the person if in any doubt.
- ▶ A person wants to enter a betting shop to place a bet. The licensee has a doubt about whether the person is over the age of 18. The licensee requests identification from the person. The person presents a driver's licence. It appears from the licence that it belongs to the person, as their photo is visible. The date of birth on the licence shows that the person is over the age of 18.

Section 163

Obligation to ensure approved training programme completed by staff in relevant post

Licensees must ensure that any of their staff whose duties entail engaging with participants have completed an approved training programme before they commence work (and also at such intervals as the GRAI may require).

The GRAI will publish the content and standards to be met by a training programme on its website. The GRAI will also publish on its website a list of approved training programmes.

It is a criminal offence not to comply with these requirements.

Section 163 of the Act can be found [here](#).

Section 164

Obligation to provide facility to enable participant to set monetary limit

Licensees must enable participants to set a spending limit for gambling. This means that participants must be able to set a limit on:

- a. The amount they can pay to participate in any individual gambling activity
- b. The total amount they can pay to participate in all gambling activities provided by the licensee

Participants must be able to set the time period that the spending limit applies for. There must be no restrictions on the length of time the participant can set the spending limit for. The participant must not be able to remove or increase the spending limit until after the time period expires.

While the spending limit applies, licensees must not provide a gambling activity to the participant which would result in them exceeding their set limit. If that occurs, the licensee must refund to the participant any relevant payment made in excess of the limit within 7 days.

While the spending limit applies, licensees are also restricted from communicating with the participant in a manner that invites (or has the effect of inviting) the participant to participate in a relevant gambling activity, or that advertises a relevant gambling activity to that participant.

It is a criminal offence to fail to comply with these requirements.

Section 164 of the Act can be found [here](#).

Practical Examples

- ▶ A participant sets a specific limit on the amount they can spend on betting with the licensee over a month.
- ▶ The participant reaches the specified limit half way through the month. The licensee is prohibited from providing bets to the participant for the remaining part of the month as this would cause them to exceed their limit.
- ▶ If the participant places bets with the licensee at any time during the month which causes them to exceed the specified limit the licensee must refund the participant any excess within 7 days.

Section 165

Obligation in respect of method of payment for relevant gambling activity

- ▶ A licensee cannot accept payment by credit card. This includes payment by any electronic or digital means that uses money loaded from a credit card.
- ▶ A licensee cannot extend a credit facility to a participant.
- ▶ A licensee cannot participate in, arrange, permit or facilitate the giving of credit to a participant in connection with a gambling activity.

It is a criminal offence not to comply with these requirements.

Section 165 of the Act can be found [here](#).

Practical Examples

- ▶ An online casino cannot accept payment using a credit card. This includes payments to the licensee made by credit card through a Money Transmission Business
- ▶ Licensees should ensure that e-wallets used by customers are not funded by credit cards
- ▶ A bookmaker cannot offer a customer a "tab" to place bets i.e. they cannot allow the customer to place bets over a period of time, with payment on a later date.
- ▶ "Buy now, pay later" schemes are prohibited.
- ▶ A licensee cannot partner with a third-party finance company to offer loans or credit lines for gambling purposes.

Section 167

Obligations before providing gambling by remote means

A person can only participate in remote gambling activities if they hold an account with the licensee. The Authority may make regulations requiring a separate account for each remote gambling activity.

Licensees must not provide remote gambling activities to any person unless the following conditions have been met:

1. The person has opened a gambling account with the licensee.

2. The licensee has recorded in their register of account-holders the person's name, address, and date of birth, and how the licensee has complied with the obligations imposed under sections 172 and 173 (outlined below).
3. The person has received the licensee's terms and conditions (in writing).

It is a criminal offence to fail to comply with these requirements.

Section 167 of the Act can be found [here](#).

Section 168

Obligation to establish and maintain a register of account-holders

Remote gambling licensees must open and maintain a register of account-holders.

The register of account-holders must contain the following information:

1. The name, address and date of birth of every account-holder
2. How the obligations under section 172 (requirement to provide copy of terms and conditions) and section 173 (requirement to provide certain information) have been fulfilled in relation to each account
3. Any other information that the Authority may require by way of regulations.

Licensees must remove the relevant entry from the register of account-holders where the gambling account is closed either at the account-holder's request or after 13 months of inactivity (not counting periods when the account-holder was entered on the NER).

It is a criminal offence to fail to comply with these requirements.

Section 168 of the Act can be found [here](#).

Section 169

Application to open remote gambling account

A person must be aged 18 or over to be able to apply to open an account with a remote gambling licensee.

The Authority may specify the form and manner that an application to open an account must take and any documentation which must be included.

Licensees must verify the identity and age of all applicants before opening a remote gambling account. To do so, licensees must require:

- a. A copy of a document that specifies the name, address and date of birth of the person and contains a photo of that person (e.g. a driving licence), or

- b. A copy of a document that specifies the name and date of birth of the person and contains photo identification of that person together with a copy of two documents confirming their address (e.g. a passport and a utility bill and insurance policy)

The licensee must be satisfied that the documents submitted relate to the person who is applying to open an account and confirm that they are over the age of 18.

It is a criminal offence not to comply with these requirements.

Section 169 of the Act can be found [here](#).

Section 170

Requirement to lodge money in a gambling account

The GRAI may make regulations limiting the amount of money that a remote gambling licensee can require an account-holder to lodge in an account, and specifying the maximum amount of money that an account-holder can lodge in an account during a specified period.

Licensees will be notified in advance of these regulations taking effect and will have an opportunity to engage in consultation on draft regulations.

It will be a criminal offence not to comply with these regulations.

Section 170 of the Act can be found [here](#).

Section 171

Obligation to close gambling account

A remote gambling licensee must close an account-holder's gambling account when requested in writing by the account-holder or after 13 months of inactivity (not counting periods when the account-holder was entered on the NER).

The licensee must refund any money in the account to the account-holder. Where the account has been closed due to inactivity and the licensee is unable, having made reasonable efforts, to refund the money to the account-holder, the money must be transferred to the Authority for payment into the Social Impact Fund.

Where the account-holder subsequently contacts the licensee to obtain that money, the licensee should direct them to the Authority for a refund and notify the Authority in writing that they are satisfied this is the account-holder and provide details regarding the money transferred.

It is a criminal offence not to comply with these requirements.

Section 171 of the Act can be found [here](#).

Section 172

Obligation to provide copy of terms and conditions of remote gambling activity

Remote gambling licensees must provide their terms and conditions when a person accesses remote gambling activity with that licensee for the first time, and on each occasion after the terms and conditions change.

In addition, remote gambling licensees must ensure that their terms and conditions are accessible at all times on their website.

The terms and conditions of a remote gambling activity must:

- i. be written in clear and plain language;

- ii. be expressly accepted by the account-holder when they access remote gambling activity with that licensee for the first time and on each occasion after the terms and conditions change (when the person accesses the remote gambling activity for the first time after that change) before payment is accepted by the licensee;
- iii. be made available by electronic means so the account-holder can store and retrieve the terms and conditions.

It is a criminal offence not to comply with these requirements.

Section 172 of the Act can be found [here](#).

Section 173

Obligation to provide information to account-holder

Remote gambling licensees must provide account-holders with certain information.

The Authority will be making regulations setting out this information. This information will relate to:

- a. The recognition of the identifying characteristics of excessive or compulsive gambling and its adverse effects,
- b. The facilities available to support account-holders to gamble in a manner that avoids excessive or compulsive gambling,
- c. The facilities available to account-holders to block their access, or the access of a child, or both, to gambling websites,
- d. Gambling support services providing information and assistance in respect of excessive or compulsive gambling.

In addition to providing the information to account-holders, the information must be prominently displayed on the home page of the licensee's website, and on each online platform where a gambling activity can be accessed.

Remote gambling licensees must send alerts to account-holders' accounts at certain intervals (to be set by the Authority) detailing (a) the account-holder's winnings and losses, and (b) the time spent by the account-holder participating in gambling activities through their account.

Remote gambling licensees must also provide account-holders with immediate access, via their account to (a) the amount of money in their account, and (b) details of the amounts paid by the account-holder to participate in each gambling activity over certain periods of time (to be set by the Authority).

It is a criminal offence not to comply with these requirements.

Section 173 of the Act can be found [here](#).

Section 174

Protection of children

A remote gambling licensee must display a hyperlink to parental control programmes on the homepage of their website and on each online platform where a remote gambling activity is provided.

Parental control programmes are programmes that help parents manage and restrict what their children can access on digital devices like computers, smartphones, tablets etc.

These programmes aim to protect children from inappropriate content. They monitor and, in some cases, prevent children from engaging in certain online activity.

Licensees should ensure that information on parental control programmes is provided on their website and on each of their online platforms.

Section 174 of the Act can be found [here](#).

Section 175

Obligation not to provide gambling activities by remote means on certain days or at certain times

The Authority can prescribe days or hours or both during which remote gambling licensees will be prevented from providing remote gambling activities.

It is a criminal offence not to comply with these requirements.

Section 175 of the Act can be found [here](#).

Section 176

Obligations in respect of opening hours and use of premises

The Authority can prescribe days or hours or both during which in-person gambling licensees cannot open their gambling premises.

Any such regulations cannot affect the opening hours of betting offices at greyhound racetracks as permitted in regulations made by Rásáiocht Con Éireann or at authorised racecourses as permitted in regulations made by Horse Racing Ireland.

The Authority can also prohibit the sale by licensees of any matter on a gambling premises that the Authority considers would entice a person to engage in gambling activities.

It is a criminal offence not to comply with these requirements.

Section 176 of the Act can be found [here](#).

Section 177

Children on premises

An in-person licensee must not permit a person to enter a gambling premises unless they are satisfied that the person is over the age of 18.

As an exception, if their licence permits, in-person licensees may allow children on their premises. The licensee must however have made an application to the GRAI for children to be permitted onto their premises. The GRAI will consider that application having regard to the location and nature of the premises. If ultimately permitted, this will be specified on the licence. However, even where a child may be permitted to enter the premises, it remains an offence to permit that child to participate in gambling activities.

If there is any doubt as to whether the person is 18 years old, the licensee should ask them for identification (e.g. passport, driver's licence) before allowing them to enter the premises.

If a child is permitted to enter a gambling premises, unless the licensee proves that they were reasonably mistaken that the child was over the age of 18, the licensee will be guilty of an offence.

Section 177 of the Act can be found [here](#).

Practical Examples

- ▶ An in-person gaming licensee should not permit a child to enter their premises to participate in gaming activities (or at all, unless permitted by their licence), having sought appropriate identification from the person if in any doubt.
- ▶ A person wants to enter a gaming premises to participate in gaming activities. The licensee is unsure if the person is over the age of 18. The licensee requests identification from the person. The person presents a passport. It appears from the passport that it belongs to the person, as their photo is visible. The date of birth on the passport shows that the person is over the age of 18. The licensee allows the person to enter the gaming premises and participate in gaming activities. It later transpires that the person used false identification, and they were under the age of 18 at the time. Provided that a reasonable person could have reached the same conclusion as regards the age of the person in the same circumstances, the licensee will be able to argue that they were reasonably of the view that the customer was over the age of 18.

Section 178

Obligation in relation to withdrawal of cash on premises

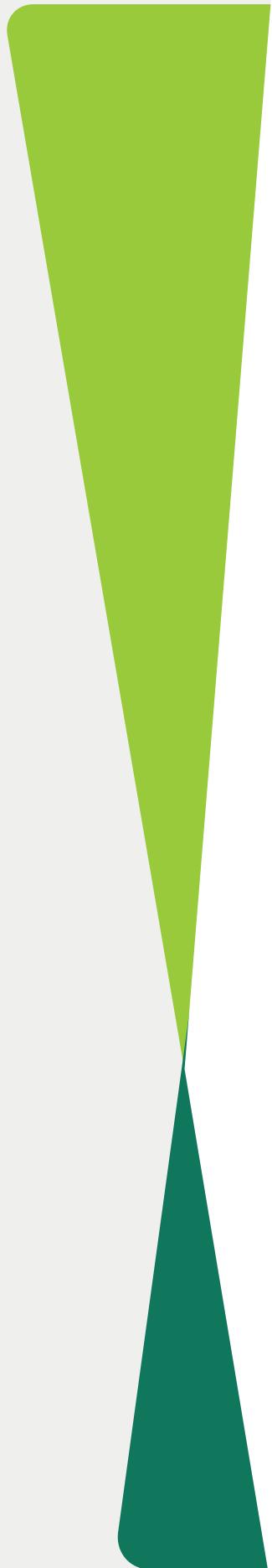
Licensees shall not permit automated teller machines (ATMs) on their premises unless their licence specifies that they can do so.

It is a criminal offence not to comply with this obligation.

Section 178 of the Act can be found [here](#).

Notes

Notes



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