



HM Government of Gibraltar

Gambling Division

GAMBLING DIVISION PRESS RELEASE

Date: 22 June 2023

Regulatory Settlement

The Gambling Commissioner has agreed a regulatory settlement with a Gibraltar remote gambling licence holder. The regulatory settlement consists of a payment of £7,500 to be paid into the Consolidated Fund.

This settlement is in respect of failings in relation to the requirement to undertake an independent audit function in compliance with Section 26(1A) of the Proceeds of Crime Act.

The assessment carried out identified no other substantial areas of concern and the operator is deemed fit to hold a licence. The operator was fully cooperative throughout this process and was willing to remediate the breach with immediate effect.

The Gambling Commissioner would take this opportunity to remind licence holders of their obligations under POCA to undertake an independent audit function. As the Gambling Commissioner's Code of Practice on AML states:

"The audit function must be independent of the AML/CFT/PF compliance team in order to be able to objectively assess the adequacy of policies, controls and procedures but it may be internal or external. Some Licence Holders may have the capacity and resources for an in-house audit function, whereas others may wish to outsource this function to a reputable firm familiar with undertaking audits of this nature. An external audit may prove to be a useful tool irrespective of whether a Licence Holder has an in-house audit team as an additional check on the effective operation of a Licence Holder's compliance programme, however, there is no requirement to engage the services of an outside firm in order to carry out this function."

Licence holders should carefully consider the size and nature of their business and the scope and frequency with which the independent audit function should be undertaken. This should be clearly articulated in the relevant policies and procedures.

The Licensee continues to hold a licence from the Government of Gibraltar and the Gambling Commissioner contemplates no further action in respect of this matter and will be making no further comment.

ENDS