

A QUICK GUIDE TO BGLC FEES & PENALTIES, GOJ TAXES AND CHASE FUND CONTRIBUTIONS FOR ALL GAMING INDUSTRY LICENSEES

JANUARY 2015 EDITION

This document will be updated periodically as more Amendments to the Betting Gaming and Lotteries Act (BGLA) are passed.

The purpose of this *Quick Guide* is to provide licensees and practitioners in the Gaming Industry with easy access to information regarding GOJ Taxes, BGLC Fees and CHASE Fund Contributions payable by all licensees under the Betting, Gaming and Lotteries (Amendment) Act, as well as the Fixed Penalties under the BGLA. To access additional information or publications, including:

- The Betting Gaming and Lotteries (Amendment) Act;
- BGLA Amendments Handbook;
- The Proceeds of Crime Act (POCA);
- BGLC Annual Reports and other important statistics;
- Licence application forms, terms and conditions;
- Answers to Frequently Asked Questions; and
- Public Advisories

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INTRODUCTION TO BGLC FEES

The Betting, Gaming & Lotteries Commission (BGLC) is a statutory body of the Ministry of Finance & Planning, established in 1975 under the provisions of the Betting Gaming & Lotteries Act (BGLA). The Commission regulates and controls the operations of betting, gaming and the conduct of lotteries in Jamaica, including issuing licences and collecting related fees, taxes and contributions to the Government of Jamaica (GOJ).

The Licence period ends on March 31st of each year, and therefore fees become due on or before this date. For your convenience, the Commission conducts licensing operations across the island in the months leading up to this date, on the grounds of certain Inland Revenue Offices. Please see the press and our website www.bglc.gov.jm for downloadable application forms, terms and conditions of licensing, and details of remote licensing dates and locations.

All taxes are to be paid directly to the Inland Revenue Department. Tax receipts are to be kept as proof of payment and submitted during licensing and registration. **BGLC Licensing and Registration fees are to be paid directly to the BGLC Office or deposited into the Commission's BNS Account held at New Kingston Branch a/c # 50575-773-13.** Licensees should bring the stamped deposit slip from BNS along with the completed application for renewal. Details of updated fees for licenses issued by the BGLC are listed below. Please contact the BGLC to keep abreast of any changes in these taxes and fees.

Notes to Schedules

1. Multi- Station Gaming Machines:

Each seat in a Multi Station Gaming Machine is now counted as one (1) gaming machine and is taxed and counted individually.

2. Where an application is refused, the fee paid will be refunded to the applicant.

3. Late Fees for Overdue Gaming Machine Levy Payments:

Levies are due on April 1st each year. If paid after the April 1st prescribed date, the following fines apply:

- if gaming machine taxes are paid after April 1st but before July 1st, 15% of licensing levy per machine;
- on/after July 1st but before October 1st, 30% of licensing levy per machine;
- on/after October 1st but before April 1st of the following year, 45% of licensing levy per machine;
- on/after April 1st of the following year, 60% of licensing levy per machine.

Regulations and conditions attached to licences along with technical and other standards are being prepared, and will be made available upon completion.

LICENSING AND REGISTRATION FEES PAID TO BGLC

SECTOR	TYPE OF LICENCE/SERVICE	BGLC FEES J\$	INLAND REVENUE J\$
PRIZE PROMOTIONS	APPLICATION, PROCESSING, APPROVAL, MONITORING		
	<ul style="list-style-type: none"> ▪ Less than or equal to \$500,000 ▪ Greater than \$500,000 and less than or equal to \$1M ▪ Greater than \$1M 	20,000.00 50,000.00 100,000.00	n/a n/a n/a
	Incomplete application	15,000.00	n/a
	Late application (less than 14 days but not less than 5 working days before commencement date of promotion)	15,000.00	n/a
	Extension of expiry date of promotion	15,000.00	n/a
	Express service (applications submitted within 2 to 5 working days prior to commencement date of promotion)	25,000.00	n/a
	Modifications or amendments after approval for competition	15,000.00	n/a
	Withdrawal after approval for competition	Non-Refundable	n/a
	Cancellation before approval for competition	25% administrative fee will be charged on all applicable fees paid	n/a

SECTOR	TYPE OF LICENCE/SERVICE	BGLC FEES J\$	INLAND REVENUE J\$
GAMING	Prescribed Premises	1,000.00 p.a.	2,500.00 p.a.
	Gaming Machine Licence (slots)	4,000.00 p.a.	Gross Profit Tax
	Gaming Machine Licence (local)	4,000.00 p.a.	5,000.00 p.a.
	Gaming Machine Identification Disc	1,000.00 p.a.	n/a
	Prescribed Premises Worker (<i>any person employed in any prescribed premises who receives or negotiates bets on gaming machines or who is involved in the operation of the gaming machines on those prescribed premises</i>)	5,000.00 p.a.	n/a
	Manufacturers of locally made gaming machines	200,000.00 p.a.	n/a
BETTING	RACING PROMOTER		
	Racing Promoter Track Betting Licence	500,000.00 p.a.	
	Off-Track Betting Parlour Licence	15,000.00 p.a.	
	Off-Track Betting Parlour Operator's Licence	10,000.00 p.a.	
	Racing Promoter Terminal Operator's Licence	4,000.00 p.a.	
	Off-Track Terminal Operator's Licence	4,000.00 p.a.	
	BOOKMAKERS		
	Bookmaker's Permit	200,000.00 p.a.	
	Betting Office Licence	10,000.00 p.a.	
	Betting Lounge Licence	15,000.00 p.a.	2,500.00 p.a.
	Betting Agency Permit	10,000.00 p.a.	
	Bookmaker's Bet Writer	4,000.00 p.a.	
	Follow-up inspection	20,000.00 per visit	

SECTOR	TYPE OF LICENCE/SERVICE	BGLC FEES J\$	INLAND REVENUE J\$
LOTTERY	Fee per lottery game	2,400,000.00 p.a.	
	Lottery Prescribed Premises (any premises licensed as the head office or regional office of a lottery promoter)	10,000.00 p.a.	2,500.00 p.a.
	Lottery Agent's Licence	5,000.00 p.a.	
	Lottery Sales Outlet (<i>any premises which is used by a licensed lottery agent to receive or negotiate bets as agent of a lottery promoter</i>)	1,075.00 p.a.	
	Sports Betting Sales Outlet (<i>Effective when gazetted</i>)	1,075.00 p.a.	
OTHER ASSOCIATED FEES	DUE DILIGENCE INVESTIGATION		
	Intensive local investigation (MJHDF - i.e. Company Directors)	50,000.00	
	Routine background checks (PDF II)	5,000.00	
	Investigations involving both local and foreign jurisdictions)	US\$10,000.00	

TAXES & CONTRIBUTIONS TO THE GOJ

Gaming Sector *(Gross Profit Tax Allocation of 10%)*

SECTOR			
	PERCENTAGE	TAX CODE/ BANK ACCOUNT #	Payment Location
Consolidated Fund (Inland Revenue)	6.5%	213	Inland Revenue
BGLC	2.5%	BNS a/c # 50575-773-13	BNS
CHASE	1.0%	NCB a/c# 301-064-179	NCB

Penalties

Monthly GPT Payments are due on the 7th of the following month.

- (a) Payments made up to 90 days after the due date shall attract, in addition to the outstanding amount, a penalty of 15% of the amount due.
- (b) Payments made after 90 days but less than 180 days after the due date shall attract, in addition to the outstanding amount, a penalty of 30% of the amount due.
- (c) Payments made more than 180 days but less than 270 days after the due date shall attract, in addition to the outstanding amount, a penalty of 45% of the amount due.
- (d) Payments made 270 days after the due date shall attract, in addition to the outstanding amount, a penalty of 60% of the amount due.

Betting Sector

LOCAL RACING & OVERSEAS RACING	PERCENTAGE
Consolidated Fund (Inland Revenue)	1.5% of Gross Profit
BGLC	2.5% of Gross Profit
Jamaica Racing Commission (JRC)	12.5% of Gross Profit
SPORTS BETTING	PERCENTAGE
Consolidated Fund (Inland Revenue)	7% of Gross Profit
BGLC	1% of Gross Profit
CHASE	1% of Gross Profit

(Rates became effective January 28, 2009)

Lottery Sector

(As at April 1, 2013. Rates became effective January 28, 2009)

GAMES	CONSOLIDATED FUND	BGLC	CHASE
Cash Pot	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Lucky 5	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Pick 2	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Pick 3	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Pick 4	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Instant Games	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Dollaz	25% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Lotto	25% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Super Lotto	25% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Money Time	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Top Draw	20% of Weekly Gross Revenue	1.8% of Weekly Ticket Sales	3.65% of Weekly Ticket Sales
Unclaimed Winnings	N/A	50% of the value of all unclaimed prizes arising from weekly ticket sales	50% of the value of all unclaimed prizes arising from weekly ticket sales
Taxes on Winnings (all games)	20% on winnings over \$15,000.00	N/A	N/A

SCHEDULE OF FIXED PENALTIES

(BGLA Amendment s. 14 and Schedule 7)

Breaches of the BGLA now attract fixed penalty notices, (similar to traffic tickets) laid out according to a predetermined schedule of the various offences. These penalties are payable within fifteen (15) days of receiving a notice from the BGLC for a breach. Charges may be contested in the Resident Magistrate’s Court. However if the charge is upheld, this may result in the imposition of higher fines. Offenders may permanently lose eligibility for licenses.

SEVENTH SCHEDULE (Section 14)

Schedule of Fixed Penalties

Column 1	Column 2	Column 3
Provisions	Offence	Fixed Penalty \$
_____	_____	_____
The Betting Gaming and Lotteries Act		
Sections		
8A(1)	Failure to place current licence, permit, approval or authority in a conspicuous place on the premises	200,000
8B(2)	Obstructing authorized person or constable in the exercise of his function	200,000
8C	Failure of produce licence, permit approval, or authority to authorized person	100,000
8E(2)	Failure to manage licensed premises in accordance with terms and conditions specified in licence permit approval or authority	300,000
8E(3)	Breaking or removing seal or other device affixed to a gaming	100,000

	machine or other equipment without the consent of the Commission	
20A(1)	Receiving or negotiating bets on behalf of a licensed bookmaker's agent without a bet writer's licence	150,000
20A(4)	Allowing an unlicensed person act as a bet writer	150,000
20A(5)	Failing to keep register of all authorized bet writer	150,000
20B	Carrying on pool betting or book making without being authorized or licensed	500,000
20C	Permitting a minor to bet, negotiate or participate in any betting, gaming or lottery activity or to be in a room where gaming machines are located	500,000
20D(6)	Operating a betting lounge without a valid licence	250,000
20E(5)	Operating sports without a valid licence	150,000
22(1)	Failure to manage licensed betting office in accordance with terms and conditions of licence or with Second Schedule	300,000
24A(2)	Failure of agent to obtain off track betting parlour operator's licence; or failure of person to be authorized as agent by racing promoter or agent is under 18 years old	250,000
24D	(a) Receiving or negotiating bets contrary to section 24B	150,000
	(b) Receiving or negotiating bets contrary to section 24C	150,000
24D(5)	(a) Failure to keep register in accordance with section 24D(3)	150,000
	(b) Failure to produce licence or register in accordance with section 24D(4)	150,000
25(4)	Operating a totalizator contrary to section 25(2)	300,000
30A(2)	Failure to pay unclaimed winnings	375,000
32(4)	(a) Failure to pay pool betting duty payable;	250,000

	(b) Failure to keep such books, records and account as prescribed, or to permit any officer authorized by the Commissioner of Inland Revenue to inspect and take copies of any books, records, accounts or documents used for the purpose of the business;	250,000
	(c) Obstructing any officer in the exercise of his functions in relations to pool betting duty	250,000
	(d) Making false statement with intent to deceive or making use of any book, account, record, return or other documents which is false; or	250,000
	(e) Being knowingly concerned in or taking steps with a view to fraudulent evasions of pool betting duty	250,000
38(2)	Taking part in unlawful gaming or being present in any such gaming	500,000
38(3)	Allowing or letting or otherwise making premise available contrary to section 38(3)	1,000,000
43C(3)	Providing or facilitating the provision of technical services in connection with any betting, gaming or lottery activity without a licence	750,000
43C(4)	Employing or engaging an unlicensed person to provide technical services	750,000
44(2)	Operating an unlicensed gaming machine on prescribed premises	750,000
44(3)	Operating prescribed premises in breach of terms and conditions specified in licence	250,000
44A	Operating gaming machines without being licensed	250,000
44A(2D)	Employing a person at a prescribed premise in contravention of section 44A(2B)	200,000
44E(2)	Failure to operate the number of machines specified in the licence, without prior approval by the Commission	250,000
49A	Failure to obtain lottery agent's licence or operating as lottery agent while ineligible	250,000
49B(2)	Breaching any terms or conditions of lottery prescribed premises licence	175,000

49C(2)	Operating lottery sales outlet without a licence	175,000
58(4)	Failure of authorized person to conduct prize competition in accordance with terms imposed by the Commission	250,000
61	Any other offence under this Act or regulations thereunder for which no penalty is provided elsewhere	300,000

The Betting, Gaming and Lotteries (Sports Betting Tax) Regulations, 2014

Regulation

4(4)	Failure to comply with any of the provisions of regulation 4	375,000
5(3)	Failure to comply with any of the provisions of regulation 5	375,000

The Betting, Gaming and Lotteries (Telephone Betting) Regulations, 2014

Regulation

8(2)	Unauthorized access to data or records <i>etc.</i> , stored on the approved control system	300,000
9	Failure to keep and maintain records	300,000
10	Failure to maintain satisfactory records	250,000
11	Failure to register player and establish player account	300,000
13	Failure to keep player's register and failure to keep its content confidential	300,000
14	Failure to comply with the requirements of a request for information from the Commission	500,000
15	Failure to establish a player's account	300,000

16	Accepting bets from players' account with insufficient funds	300,000
17	Failure to remit funds in player's account on request	500,000
19	Using funds in player's account outside the prescribed scope	500,000
20	Failure to remit balance in dormant or inactive accounts to player	500,000
21	Conducting telephone betting without authorization from the Commission	500,000
22	Permitting unregistered players to participate in telephone betting and participating in telephone betting without being registered	300,000
23	Establishing and maintaining multiple accounts for one player	300,000
24	Player not allowed to place bet on behalf of or as an agent of another person	300,000
25	Knowingly allowing a minor to participate in telephone betting	300,000
26	Failure to keep an account with a financial institution specifically for transactions related to telephone betting	500,000
27	Failure to keep proper accounting records, prepare financial statements and provide the Commission with such records and statements within 14 days of request	500,000
28	Failure to provide the Commission with a report of the operations and providing false, misleading and incomplete information in a material particular	500,000
29	Failure to have books of accounts and financial statements audited at the end of the financial year	400,000
30	Failure to follow protocol on receiving telephone calls in Part III of the First Schedule	500,000
31	Failure to establish regulatory controls, procedures, <i>etc.</i> , for preventing and detecting money laundering	500,000

32	Failure to provide employees with training to detect money laundering	500,000
33	Failure to maintain adequate identification verification procedures	500,000
36	Disclosing the identity <i>etc.</i> , of players without authorization	300,000
37	Failure to obtain evidence of a player's identification and to keep proper records of players identification	300,000

EIGHTH SCHEDULE (Section 14)

THE BETTING, GAMING AND LOTTERIES ACT

**The Betting, Gaming and Lotteries (Payment
of Fixed Penalty) Order, 2014**

FIXED PENALTY OFFENCES

Column 1	Column 2	Column 3
Provisions	Offence	Fixed Penalty \$
The Betting, Gaming and Lotteries Act		
Section		
8(A)(1)	Failure to place current licence, permit, approval or authority in a conspicuous place on the premises	200,000
8(B)(2)	For obstructing authorized persons or constable in exercise of his function	200,000
8C	Failure to produce licence, permit, approval or authority to authorized person	100,000
8E(2)	Failure to manage licensed premises in accordance with terms and conditions specified in licence permit approval or authority	300,000
8E(3)	To break or remove seal or other device affixed to a gaming machine or other equipment without the consent of the Commission	100,000

20A(1)	Receiving or negotiating bets on behalf of a licensed bookmaker's agent without a bet writer's licence	150,000
20A(4)	Allowing an unlicensed person act as a bet writer	150,000
20A(5)	Failing to keep register of all authorized bet writer	150,000
20B	Carrying on pool betting or book making without being authorized or licensed	500,000
20C	Permitting a minor to bet, negotiate or participate in any betting, gaming or lottery activity or to be in a room where gaming machines are located	500,000
20D(6)	Operating a betting lounge without a valid licence	250,000
20E(5)	Operating sports betting outlet without a valid licence	150,000
22(1)	Failure to manage licensed betting office in accordance with terms and conditions of licence or with Second Schedule	300,000
24A(2)	Failure of agent to obtain off track betting parlour operator's licence; or failure of person to be authorized as agent by racing promoter or agent is under 18 years old	250,000
24D	(a) Receiving or negotiating bets contrary to section 24B	150,000
	(b) Receiving or negotiating bets contrary to section 24C	150,000
24D(5)	(a) Failure to keep register in accordance with section 24D(3)	150,000
	(b) Failure to produce licence or register in accordance with section 24D(4)	150,000
25(4)	Operating a totalizator contrary to section 25(2)	300,000
30A(2)	Failure to pay unclaimed winnings	375,000
32(4)	(a) Failure to pay pool betting duty payable;	250,000

	(b)	Failure to keep such books, records and account as prescribed, or to permit any officer authorized by the Commissioner of Inland Revenue to inspect and take copies of any books, records, accounts or documents used for the purpose of the business;	250,000
	(c)	Obstructing any officer in the exercise of his functions in relations to pool betting duty;	250,000
	(d)	Making false statement with intent to deceive or making use of any book, account, record, return or other documents which is false; or	250,000
	(e)	Being knowingly concerned in or taking steps with a view to fraudulent evasions of pool betting duty	250,000
38(2)		Taking part in unlawful gaming or being present in any such gaming	500,000
38(3)		Allowing or letting or otherwise making premise available contrary to section 3(2)	1,000,000
43C(3)		Providing or facilitating the provision of technical services in connection with any betting, gaming or lottery activity without a licence	750,000
43C(4)		Employing or engaging an unlicensed person to provide technical services	750,000
44(2)		Operating an unlicensed gaming machine on prescribed premises	750,000
44(3)		Operating prescribed premises in breach of terms and conditions specified in licence	250,000
44A		Operating gaming machines without being licensed	250,000
44A(2D)		Employing a person at a prescribed premise in contravention of section 44A(2B)	200,000
44E(2)		Failure to operate the number of machines specified in the licence, without prior approval by the Commission	250,000
49A		Failure to obtain lottery agent's licence or operating as lottery agent while ineligible	250,000
49B(2)		Breaching any terms or conditions of lottery prescribed premises	175,000

	licence	
49C(2)	Operating lottery sales outlet without a licence	175,000
58(4)	Failure of authorized person to conduct prize competition in accordance with terms imposed by the Commission	250,000
61	Any other offence under this Act or regulations thereunder for which no penalty is provided elsewhere in this Act	300,000

The Betting, Gaming and Lotteries (Sports Betting Tax) Regulations, 2014

Regulation

4(4)	Failure to comply with any of the provisions of regulation 4	375,000
5(3)	Failure to comply with any of the provisions of regulation 5	375,000

The Betting, Gaming and Lotteries (Telephone Betting) Regulations, 2014

Regulation

8(2)	Unauthorized access to data or records <i>etc.</i> , stored on the approved control system	300,000
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14	Failure to comply with the requirements of a request for information from the Commission	500,000
15	Failure to establish a player's account	300,000
16	Accepting bets from players' account with insufficient funds	300,000
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22	Permitting unregistered players to participate in telephone betting and participatig in telephone betting without being registered	300,000
23	Establishing and maintaining multiple accounts for one player	300,000
24	Player not allowed to place bet on behalf of or as an agent of another person	300,000
25	Knowingly allowing a minor to participate in telephone betting	300,000
26	Failure to keep an account with a financial institution specifically for transactions related to telephone betting	500,000
27	Failure to keep proper accounting records, prepare financial statements and provide the Commission with such records and statements within 14 days of request	500,000
28	Failure to provide the Commission with a report of the operations and providing false, misleading and incomplete information in a material particular	500,000
29	Failure to have books of accounts and financial statements audited at the end of the financial year	400,000

30	Failure to follow protocol on receiving telephone calls in Part III of the First Schedule	500,000
31	Failure to establish regulatory controls, procedures, <i>etc.</i> , for preventing and detecting money laundering	500,000
32	Failure to provide employees with training to detect money laundering	500,000
33	Failure to maintain adequate identification verification procedures	500,000
36	Disclosing the identity <i>etc.</i> , of players without authorization	300,000
37	Failure to obtain evidence of a player's identification and to keep proper records of players identification	300,000

NOTES