

## Gaming and betting controls in the BVI

Insights - 29/10/2021

The Gaming and Betting Control Act 2020 (**the Gaming Act**), which commenced on 9 July 2021 and was further amended in October 2021, seeks to legalise and regulate gaming and gambling activities which were previously banned in the British Virgin Islands (**BVI**).

### Gambling Commission

The Gaming Act provides for the establishment of a Gambling (Gaming and Betting) Control Commission to regulate and oversee gambling and gaming under the Gaming Act.

### Activities requiring a licence

Pursuant to the terms of the Gaming Act, a person conducting any of the following activities must have a licence from the proposed Gaming and Betting Control Commission (**the Commission**):

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However, as there is no territorial limit expressly set on where these activities can be conducted, the licensing requirements under the Gaming Act might arguably apply to any BVI incorporated

company actively engaged in gaming activities even if such activities take place outside of the BVI.

## License categories

There are a several categories of licence that can be applied for:

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The categories of licence are helpful, as they add detail to the activities that require licensing, and the last category shows that the Commission may amend and add to the list as required. Any BVI companies involved in gaming activities should assess if they now require a licence following the Gaming Act's enactment.

## Comment

The Gaming Act provides further detail on the specifics of which companies and individuals will require licences within the operation of a gaming business and on the different aspects of gaming

and betting within the gaming industry. The Gaming Act sets out definitions that go into some detail on gaming, gaming establishment, gambling machines and more. A careful review of the definitions will be required when determining how the Gaming Act may affect businesses acting in that industry.

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