

THE GAMING ACT, 2003
ARRANGEMENT OF REGULATIONS

Regulation

Title

PART I

PRELIMINARY PROVISIONS

1. Citation and application.
2. Interpretation.

PART II

CONDITIONS FOR LICENSING

3. Suitability to hold Internet Casino Licence.
4. Prima facie evidence of suitability.
5. Reference to general conditions – Regulation 3 of the Gaming Regulations, 2003.

PART III

LICENSING

6. Types of licence.
7. Investigations and investigation costs.
8. Duration for approval.
9. Grant of licence.
10. Application for Internet Casino Licence.

11. Conditions attached to licence.
12. Application for Service Provider Licence.
13. Application for Key Person Licence.
14. Types of Key Persons.
15. Specific conditions.
16. Directive to appear before the Board.

PART IV

OPERATIONS

17. Hosting of Servers.
18. Obligation of Service Provider.
19. Contingency plans.
20. Administration center.
21. Player Identification.
22. Player Registration.
23. Refusal to Register.
24. Player Account.
25. Use of player account by licence holder.
26. Player's Account.
27. No recourse to player funds.
28. Aborted or miscarried games.

PART V

PRIZES

29. Monetary Prize.
30. Non-monetary Prize.
31. Unclaimed non-monetary Prize.
32. Claim of unpaid Prize.

33. Investigation of dispute.
34. Forfeiture of unclaimed Prizes.
35. Withholding of Prizes

PART VI

CONTROL SYSTEMS

36. Standards, Specification and guidelines.
37. Establishment of Control Systems.
38. Approval of Control Systems.
39. Failure to report changes.
40. Decision.
41. Direction to change Control Systems.
42. Failure to comply.
43. Continuous compliance program.
44. Design and implementation of program.
45. Confidentiality of information
46. Review of Control Systems.
47. Standards for design, use and maintenance of website.
48. Standards for security, access and maintenance.

PART VII

INTERNAL CONTROLS

49. Establishment of Internal Controls.
50. Approval of Internal Controls.
51. Amendments to approved Internal Controls Procedures.

PART VIII

REPORTING OF SUSPICIOUS ACTIVITIES

- 52. Rules and procedures for Suspicious Transactions.
- 53. Reporting of unlawful acts.
- 54. Duty to report suspicious activities.

PART IX

MONITORING

- 55. Continuous monitoring program.
- 56. Approval of monitoring program.
- 57. Powers to conduct investigation.
- 58. Provision of information for investigation.

PART X

PLAYER PROTECTION

- 59. Age of participants.
- 60. Systems to prevent underage players.
- 61. Modification of Systems.
- 62. Money return to underage.
- 63. Refuse to register.
- 64. Terms of agreements with players.
- 65. Deviation from rules.
- 66. Separation of accounts.
- 67. Bankroll requirements.
- 68. Adjustment of player's account.
- 69. Provision of credit.

PART XI

RESPONSIBLE GAMING

- 70. Display of notice of warning.
- 71. Self exclusion.
- 72. Information on player exclusion.
- 73. Limiting Bets or wagers.
- 74. Gaming addiction Research and Education fund.
- 75. Administration of funds.
- 76. Protection of Gaming Addiction Research and Education Fund.

PART XII

COMPLAINTS AND DISPUTE RESOLUTION

- 77. Complaints and dispute resolution process.
- 78. Records of complaints.
- 79. Vexatious complaints.

PART XIII

REPORTS, RECORDS AND RETURNS

- 80. Gaming records.
- 81. Record keeping on winding up process.
- 82. Annual review.
- 83. Accounting records.
- 84. Audited financial statements.

PART XIV

ADVERTISING

- 85. Advertisements on licensed operations.
- 86. Message on underage.
- 87. Restrictions to internet facilities.

PART XV

PROHIBITIONS AND SANCTIONS

- 88. Sanction against unapproved games.
- 89. Sanction against registration of players.
- 90. Sanction against participation of minors.
- 91. Sanction against non establishing players fund.
- 92. Sanction against mismanagement of records.
- 93. Sanctions against advertisements.

PART XVI

MISCELLANEOUS PROVISIONS

- 94. Rules to be posted in English.
- 95. Use of Currency.
- 96. Disclosure of player's information.
- 97. Confidentiality of information.
- 98. Exemption.

THE GAMING ACT, 2003
(No. 4 OF 2003)

REGULATIONS

Made under Section 85

THE INTERNET GAMING REGULATIONS, 2012

PART I

PRELIMINARY PROVISIONS

Citation
and appli-
cation

1. - (1) These Regulations may be cited as the Internet Gaming Regulations, 2012.

(2) These Regulations shall apply in respect of all internet casino activities licensed under these regulations and for players based within and outside Tanzania Mainland.

Interpreta-
tion
Act. No. 4
of 2003

2. - (1) In these Regulations the words and terms used shall have similar meaning assigned to them under the Gaming Act, 2003.

(2) Without prejudice to sub-regulation (1)-

“Act” means the Gaming Act, 2003;

“applicant” means any person that has applied for an Internet Casino Game Licence, a Service Provider Licence or Key Person Licence or

renewal of an Internet Casino Game Licence, a Service Provider Licence or Key Person Licence;

“Approved Agent” means a person or persons approved by the Board to carry out any of the functions set forth in the Act or these Regulations, for and on behalf of the Board and it include “appointed authority”;

“bank” means an entity that is engaged in banking business.

“bet” means money or something of value put at risk by betting;

“betting” means the act of placing a bet or wager;

“Board” means the Gaming Board of Tanzania established by Section 4(1) of the Gaming Act, 2003;

“Control Systems” means software, hardware, systems and standards that affect the outcome of the authorized internet casino gaming;

“counter” means online placement on the webpage that displays player’s account balance;

"dishonest act" includes fraud, misrepresentation, theft and any other act or omission which the Board deems to be a dishonest act;

“financial control system” means a computer system containing replicated near real time financial and player data from the internet game activity;

“financial institution” means an entity engaged in the business of banking, but limited as to size, locations served, or permitted activities as prescribed by the Bank or required by the terms and conditions of its licence;

“financial payment processor” means a financial institution or electronic cash provider or any alternate payment processor;

“game” means internet casino game authorized by the Board which is provided by a license holder, and may include table games, slot games, poker, video poker, bingo, Keno, scratch cards, dice games, virtual games, skill games and live dealer studios.

“gaming records” means all records directly or indirectly related to the internet casino games produced by a licence holder, including but not limited to player account information, wagers placed and outcomes of games played;

“internet casino game” means playing a game of chance for a prize or betting; by means of the internet, telephone, television, radio, or any other kind of electronic or other technology for facilitating communication;

“key person” means a person identified as a key person in these Regulations

“licence holder” means a person to whom the Board has issued an Internet casino gaming licence;

“material change” means a change that affects an applicant, License holder, or Service Provider, including but not limited to the appointment of a new Director, the addition of a new Shareholder with five percent (5%) or more ownership of or controlling interest in the applicant, License holder or Service Provider; the addition, termination or change in functions of a key person; a change to a control system that affects, or may affect, the functionality of an authorized game, or a change to the contact information previously provided to the Board;

“nominated account” means an account nominated by a player, held with a bank or financial institution for the movement of funds in relation with internet casino gaming. The account shall include a cheque or credit card account but does not involve cash transaction;

“official” means a person acting in an official capacity under the Act or these Regulations, other than a member or staff of the Board.

“person” means any individual or any legal entity or company, partnership, limited liability company, association of persons, body of persons, group of companies or bodies, corporate or incorporate recognized under the laws applicable within Tanzania;

“player” means a person who has attained the full age of eighteen (18) years and who participates in an internet casino game;

“player account” means an account against which the licence holder has a right to debit the amount of a bet or wager;

“prize” means money or money's worth and includes both a prize provided by a person offering internet casino game and winnings of money staked;

“rules” means a set of procedure or instructions that guides conduct or action in a given type of situation.

PART II

CONDITIONS FOR LICENSING

Suitability
to hold inter-
net casino
licence

3.-(1) In considering whether an applicant is suitable to hold a gaming licence issued under these Regulations the Board shall have regard to and also consider the following matters:-

- (a) In the case of an individual, the applicant is a person of good character, honesty and integrity, and any other matter the Board considers relevant, including but not limited to the following:
 - (i) association with unsuitable persons;
 - (ii) criminal history and prior convictions;
 - (iii) history of civil litigation;
 - (iv) credit history or bankruptcies;
 - (v) personal and professional references;
 - (vi) education, training and work history; and

- (b) In the case of a body corporate:
 - (i) the applicant has a good business reputation, sound financial position and financial background;
 - (ii) the applicant has arranged a satisfactory ownership and corporate structure;
 - (iii) the applicant has appropriate resources, skills, technical ability, and experience to provide the services authorized by its licence;
 - (iv) the applicant complies with the Act, these Regulations, the directives issued by the Board and any other laws;

- (v) each director, shareholder with five percent (5%) or more ownership of or controlling interest in the body corporate is a suitable individual;
- (vi) applicant's licensing history; and
- (vii) applicant's taxation history;

(2) In addition to the conditions specified under sub-regulation (1) (b) the applicant shall be required to provide to the Board a business plan with specific reference to:

- (i) viability and financing of the project;
- (ii) financial resources and access thereto;
- (iii) experience and expertise in internet gaming;
- (iv) details of the technology and gaming equipment
- (v) management competence;
- (vi) suitability of the source of funding;
- (vii) acceptability of key assumptions used in financial protections;
- (viii) implementation schedule;
- (ix) promotion of responsible gaming;
- (x) revenue benefits from taxes and levies; and
- (xi) expected employment generation;

Prima facie
evidence of
suitability

4. The Board may consider proof that an applicant has been licensed to conduct gaming in comparable gaming jurisdiction as prima facie evidence of the applicant's suitability to conduct internet casino business in Tanzania.

Reference to
general conditions – Regulation 3
of the Gaming

Regulations,
2003

5. These conditions shall be read together with the requirements of Regulation 3 of the Gaming Regulations, 2003.

PART III

LICENSING

Types of
licences

6. The following types of gaming licences may be issued under these Regulations;

- (a) internet casino licence for conducting games of chance or skill using remote device with internet connection;
- (b) key person licence is for persons with managerial or operational functions working with the licence holder or with a service provider, and
- (c) service provider licence for providing services to licence holder.

Investiga-
tions and
investiga-
tion costs

7.-(1) All applicants for licence under these Regulations shall be subjected to probity investigations to determine applicant's suitability.

(2) All applicants for licence shall pay for investigation costs as determined by the Board.

Duration
for appr-
oval

8. The Board shall within ninety days from the date of receipt of an application:

- (a) grant the application and issue a licence;

- (b) deny the application; or
- (c) return the application to the applicant with a request for additional or supplemental information or clarification(s) as may be deemed appropriate by the Board.

Grant of
licence

9. The Board may grant an application only if the applicant satisfies the Board that:

- (a) for purposes of internet casino licence and service provider licence; the applicant has established and is capable of operating the facilities and services under the licence;
- (b) each director, shareholder with five percent (5%) or more ownership of or controlling ownership in the applicant is a suitable person;
- (c) each of the applicant's key persons are suitable persons;
- (d) the applicant is a business entity that has a good business reputation, and sound financial position; and
- (e) the applicant has satisfied any other requirement that the Board in its discretion, deems appropriate.

Application
for internet
casino licence

10.-(1) Application for an internet casino licence shall be submitted to the Board in an appropriate form in duplicate as specified in the First Schedule to these Regulations.

(2) An application made under sub-regulation (1) shall contain all the information requested in the form and be accompanied by:

- (a) business plan referred in Regulation 3 (2);
- (b) copy of the company's Memorandum and Articles of Association;
- (c) A certified copy of the Certificate of company incorporation;

- (d) vetting forms specified in the First Schedule to these Regulations for each director or a shareholder with five per cent (5%) or more ownership of or controlling interest in the applicant's entity;
- (e) key person licence application forms specified in these Regulations, for each of the applicant's director or shareholder with five percent (5%) or more ownership of or controlling interest in the applicant's entity
- (f) application fees for internet casino licence and for key person licence prescribed in the first schedule to these Regulations; and
- (g) detailed information about the service provider, structure, equipment and services to be offered to the licence holder.

Conditions
attached to
licence

11. The Board may impose conditions to the internet casino licence issued under Regulation 9; such conditions may be in respect of the following:

- (a) technical standards and method of operation of the internet casino games;
- (b) technical specification and standards for internet casino gaming software and equipment;
- (c) nature and specifications of internal control systems and procedures.
- (d) establishment of a compliance department by a licence holder.
- (e) ensure compliance to the requirements of the Anti – Money Laundering Legislation;
- (j) notification to the Board in writing of the details and consequences of the incident and remedial steps, if any, taken within 48 hours of any serious incident negatively affecting the operation of its licence ;

- (k) the licence holder must give notification in writing to the Board containing full details within seven (7) days of any of the following events:-
- i. when any licence or permission however described allowing it, or one of its associates, to conduct any form of gaming in another jurisdiction is suspended, revoked, or voluntarily surrendered.
 - ii. When the beneficial ownership of the licence holder, or of any parent company of the licence holder, or of any associated company within the group of companies to which the licence holder belongs, has changed so that a person's shareholding is, or becomes 5% or more;
 - iii. When a material change is discovered in the information previously supplied by it to the Board, whether prior to being granted the licence or subsequently, to which the Board would be able to have regard in considering whether or not the licence holder is a fit and proper person to hold a licence; and
- (l) Upon being given reasonable notice, which shall, wherever possible be not less than seven days, the licence holder shall attend at a meeting of the Board for the purpose set in the notice.

Application
for service
provider lic-

ence

12.-(1) Application for a service provider licence shall be submitted to the Board in an appropriate form in duplicate as specified in the First Schedule to these Regulations.

(2) An application made under sub-regulation (1) must contain all the information requested in the form and be accompanied by:

- (a) copy of the company's Memorandum and Articles of Association;
- (b) A certified copy of the Certificate of company incorporation;
- (c) vetting forms specified in these Regulations for each director or a shareholder with five per cent (5%) or more ownership of or controlling interest in the applicant's entity;
- (d) key person licence application forms specified in these Regulations, for each of the applicant's director or shareholder with five percent (5%) or more ownership of or controlling interest in the applicant's entity
- (e) application fees for a service provider licence and for key person licence prescribed in the first schedule to these Regulations; and
- (f) detailed information about the location of the primary servers, mirror servers, structure, call centre, equipments, software to be offered for the internet casino operations.

Application
for key pers-
on licence

13.-(1) Application for a key person licence shall be submitted to the Board in an appropriate form in duplicate as specified in these Regulations.

Types of
key persons

14.-(1) For the purposes of these Regulations, there are two types of key persons; namely persons who are employed or contracted by an internet casino licence holder or a service provider to perform either:

- (a) key managerial functions; or
- (b) key operational functions.

(2) Notwithstanding sub regulation (1), the Board may, by writing, notify the licence holder or the service provider of any position it considers to be a key person for the purposes of these Regulations.

(3) An application made under Regulation 12 must contain all the information requested in the form and be accompanied by:

- (a) a letter from the proposed licensee or licence holder or service provider addressed to the Board confirming the following:
 - (i) proposed position of the person;
 - (ii) functions to be assigned;
 - (iii) qualifications possessed; and
 - (iv) types of trainings received.
- (b) application fee for key person licence prescribed in the first schedule to these Regulations;
- (c) a duly completed vetting form.
- (d) detailed Curricula Vitae, photocopy of the first five and last pages of a passport; and
- (e) two passport size photograph.

Specific
conditions

15. The Board may issue a key person licence:

- (a) on conditions the Board considers necessary or desirable for the proper conduct of internet casino; and
- (b) on other conditions as the Board consider necessary or desirable in the public interest.

Directive to
appear befo-

re the Board

16. The Board may, under a written directive, require a key person to appear before it to answer any questions or to provide any document or other information the Board requests. The key person upon whom a written directive under this Regulation shall appear as required and respond to the Board's questions and comply with its requests.

PART 1V

OPERATIONS

Hosting of

servers

17. (1) A licence holder shall have its primary server(s) located within or outside Mainland Tanzania.

(2) Where a licence holder has its primary and mirror server(s) located outside Mainland Tanzania, its financial control system shall be located within Mainland Tanzania.

(3) A licence holder shall ensure that at least the following critical areas within the hosting environment are properly addressed and how the following issues will be handled;

(a) Location

- (i) Proximity to supplies of IT, telecommunications, and related products and services;
- (ii) Proximity to services for (consumer/ business/ staff requirements);
- (iii) Reliability of power supply and telecommunication services/ staff requirements);
- (iv) Bandwidth availability;
- (v) Ease of access to building including parking and traffic consideration;
- (vi) Occupants of adjacent buildings or offices.

(b) Building Facilities

- (i) Compliance of server room to international Standards;
- (ii) Redundancy of power and telecommunication feeds;
- (iii) Off-line power facilities which include but not limited to UPS and generator power.
- (iv) How often do generator require re-fuelling and what arrangements are in place;
- (v) Off-line power facilities are manual or automatic switchover;
- (vi) How often are off-line power facilities tested;
- (vii) Emergency lighting systems;
- (viii) Access lifts or loading bays;
- (ix) Sufficient internal cabling, wiring or outlets;
- (x) Adequate workshop and office space for customers;
- (xi) What space has been designed to explanation;
- (xii) Satellite access;
- (xiii) Microwave line of sight.

(c) Building safety and Security

- (i) Perimeter boundary fences;
- (ii) Use of security Guards whether own or contracted;
- (iii) Access controls electronic or physical;
- (iv) Alarm systems;
- (v) Response of security systems to power failure tested;
- (vi) Video surveillance which covers general premise, secure areas and approaches;
- (vii) Monitoring of personnel access to sensitive areas;

- (viii) Anti-surveillance measures on-site or remote listening devices, electronic surveillance of computer activity;
- (ix) Other tenants;
- (x) Contractors in use especially cleaners;
- (xi) Access to telecom and power distribution boards;
- (xii) Access to other plant and equipment rooms including elevator and air condition;
- (xiii) External and international wall construction;
- (xiv) Quality of locks;
- (xv) Security level of door, windows, fire escapes, delivery bays and other points of entrance;
- (xvi) Fire suppression system;
- (xvii) Air conditioning;
- (xviii) Lighting protection;
- (xix) Occupational, health and safety requirements.

(d) Disaster Recovery

- (i) Disaster recovery capability.
- (ii) Business continuity plan.

(e) Internal Procedures

- (i) Entry regulations and controls for staff and visitors;
- (ii) Maintenance of access registers or logs;
- (iii) Handling of alarm notifications, both technical and security;
- (iv) Authorization of contractors;
- (v) Emergency requests for access;
- (vi) Standard security/ inspection checks,
- (vii) All time operation or out of hours procedure;
- (viii) Presence of key person or availability of call out list;

- (ix) Emergency procedures which includes evacuation and fire procedures.
- (x) Personnel individual, clearance and training.

(3) Primary server and financial control systems shall at a minimum contain all information relating to all players including game history, financial history and current liabilities.

Obligation
of Service
provider

18.(1) The service provider shall submit a plan of the hosting environment with an architectural topology for approval by the Board prior to operations.

(2) The Board shall request a hosting services provider to apply for certificate of suitability.

Contingency
plans

19.(1)A licence holder shall put in place contingency and business contingency plans to ensure ability to operate on an ongoing basis and limit losses of severe business disruption. Such plans must be in place for all critical business processes and must take into account different types of plausible scenarios. Particular attention must be paid to the ability to restore electronic or physical records that are necessary for business resumption.

(2)A licence holder shall periodically review his disaster recovery and business continuity plans so that they are consistent with his current operations and business strategies. These plans shall be tested periodically to ensure that the licence holder would be able to execute the plans in the event of severe business disruption.

Administration

center 20. A licence holder shall be required to maintain a physical administration centre in Mainland Tanzania. The administration centre shall have at least one director or key person, as determined by the Board.

Player
Identification

21(1) A player wishing to participate in internet casino games, shall prove his identity by submitting one of the following documents to the licence holder:

- (a) passport;
- (b) national identity card or any other identity document as may be approved by the Board.

(2) A licence holder shall not accept any wagers from a player until the player's identity has been authenticated in accordance with the approved control systems.

Player
registration

22.(1) A player shall register with a licence holder by completing and submitting application form and with all required documentations stipulated in regulation 21.

(2) An application for player registration contemplated in sub-regulation 1 must include, at least the following:

- (a) full name, identity number or passport number or any other proof of identity in accordance with country of residence for foreign player;
- (b) residential and postal address of the player;
- (c) valid email address of the player;
- (d) Confirmation that the player is at least 18 years;
- (e) Player's nominated account details.

(3) The registration process must contain a clear statement concerning

under age play and responsible gaming, and a clear message that the player may set limits as provided in regulation 74;

(4) The licence holder shall make available to the player:-

- (a) game rules of the authorized games being offered;
- (b) any cost associated to the fee;

Refusal to register

23. A licence holder may refuse to register a person as a player in an authorized game under a name that is obscene, indecent or offensive.

Player account

24. (1) A player shall not participate in an internet casino game unless has nominated an account with an authorized bank or financial institution for the movement of the fund.

(2) The account contemplated in sub-regulation (1) shall be nominated upon player registering process as contemplated in regulation 22.

(3) A licence holder shall not accept a wager from the player in an authorized game unless a player's account has been established in the name of the player and there are adequate funds in the account to cover the amount of the wager.

(4) A player is limited to one player account for any website operated by a licence holder.

(5) A licence holder may accept payments from a player by any of the following methods;

- (a) credit cards;
- (b) debit cards or stored value accounts;
- (c) electronic transfer;
- (d) wire transfer;
- (e) cheques;

- (f) recharge vouchers;
- (g) mobile phone transfers;
- (h) any other method approved by the Board.

use of player
account by
licence
holder

25. A licence holder may only have access to the player account to:

- (a) debit player account with the amount of a wager for an internet casino game;
- (b) credit the player account with the amount of winnings;
- (c) credit the player account with the amount of bonuses;
- (d) transfer the funds that the amount contemplated in these regulations to nominated account;
- (e) close the player account, if it has remained inactive for a period of more than 180 days;
- (f) effect manual adjustments duly authorized by management.

Player's
Account

26. (1) Where a licence holder has closed a player's account contemplated in regulation 25(d), the licence holder shall within 5 working days remit any remaining balance to the player's nominated account.

(2) A licence holder shall issue a player who has established an account with a licence holder with, an individual account user name and password for access to his account.

(3) A licence holder shall put in place appropriate Internal Controls Procedures approved by the Board to ensure that all account transactions are subject to strict security controls and are maintained in a system audit log.

- (4) A licence holder who contravenes any of the provision under this Regulation shall be liable to pay a fine of Tanzania Shillings 5,000,000.00 to the Board.

No recourse
to player
funds

27. A licence holder shall not have recourse to funds in a player's account except as follows:

- (a) to debit to the account, a wager made by the player or an amount the player indicates the player wants to wager in the course of game the player is playing or is about to play;
- (b) to remit funds standing to the credit of the account to the player's request; and
- (c) as otherwise authorized under these Regulations.

Aborted
or
miscarried
games

28. (1) Where a player's participation in a game is interrupted due to a failure in the operating or telecommunications system or as a result of any system error, the gaming system must provide a mechanism for a player to:

- (a) resume his participation in a game when the gaming system is restored in the same state as immediately before interruption; and
- (b) complete an incomplete game; or
- (c) discontinue his participation in that game.

(2) Where participation in the game can not be continued within a reasonable time or at all, the game must be terminated;

(3) Where the participation in the game has been terminated as

contemplated in sub-regulation (2), the licence holder must attempt to resolve the matter;

(4) Where the licence holder is unable to resolve the matter, he must immediately:

- (a) inform the Board of the circumstances of the incident; and
- (b) not conduct a further game, if the game is likely to be affected by the same error or fault;

(5) The Board shall immediately investigate the said incident;

(6) After investigating the incident, the Board may direct the licence holder to:

- (a) refund the amount wagered in the game to the players; and
- (b) if a player has accrued credit at the time the game was interrupted, pay to the player the monetary value of such credit; or
- (c) undertake whatever measures the Board considers appropriate in the circumstances.

PART V

PRIZES

Monetary prize 29. Where a player in a game conducted by a licence holder wins a monetary prize, the licence holder shall immediately credit the amount of the prize to the account of the player.

Non-monetary
prize

30. Where a player in a game conducted by a licence holder wins a non-monetary prize the licence holder shall:

(a) have the prize delivered personally or by certified mail to an address provided by the player; or

(b) give the player written notice of an address at which the prize may be collected; or

(c) with the approval of the player, allow the prize to be potentially leveraged into a larger prize.

Unclaimed
non-monetary
prize

31. (1) In the event a non-monetary prize in a game conducted by a licence holder is not collected within ninety days after notification of the place at which it may be collected, the licence holder may dispose of the prize by public auction or tender or in some other manner approved by the Board.

(2) The licence holder shall pay the expenses of the disposal from the proceeds of sale and pay the remainder of the proceeds into the relevant player's account.

(3) If there is no current player's account, the licence holder must remit the remainder of the proceeds to the former player's nominated account.

(4) Where the licence holder is unaware of the whereabouts of the former player, the licence holder shall pay the remainder of the proceeds into an account established by the Board and designated as the account to which payments are to be made under this subparagraph.

Claim of
unpaid prize.

32. (1) where a claim for a prize in a game is made to a licence holder within ninety days after the end of the game, the licence holder shall immediately resolve the claim. Where the licence holder is unable to resolve the claim, he shall, by written notice, (a “claim result notice”) promptly informs the claimant of the licence holder's decision on the claim. The claimant may, within seven (7) days of receiving the notice, request the Board to review the decision.

(2) If the claim is not resolved or if the claimant has not received a claim result notice, the claimant may request the Board to review the licence holder's decision on the claim, or resolve the claim.

(3) A request to the Board under sub-regulation 2:

(a) must be in a manner approved by the Board; and

(b) if the claimant received a claim result notice, the claim must be made within seven (7) days after receiving the notice.

Investigation
of dispute.

33. (1) If a request is made to the Board, the Board shall carry out investigations it considers necessary to resolve matters in dispute and render a decision in writing to the claimant and the affected licence holder.

(2) A decision made by the Board pursuant sub-regulation 1 shall be binding.

Forfeiture of
unclaimed
prizes

34. If a prize is not claimed within three years after the end of the game in which the prize was won, the entitlement to the prize is extinguished and the prize is forfeited to the Board. The Board shall disburse any such forfeited prizes at its discretion.

Withholding of
prizes

35. (1) Where a licence holder has a reason to believe that:

- (a) a result of a game was affected by an illegal activity; or
- (b) a player has, by a dishonest or unlawful act affecting the conduct or playing of a game, obtained a benefit for himself or herself or another person; licence holder may withhold a prize in the game .

(2) A licence holder who has withheld a prize as contemplated in sub-regulation (1) shall:

- (a) immediately inform the Board of the circumstances of the incident;
- (b) not conduct a further game if the recurrence of the conduct contemplated in sub- regulation (1) is likely.

(3) The Board shall immediately investigate the said matter; and

(4) After investigating the matter, the Board may direct the licence holder to:

- (a) pay the prize to the player;

- (b) refund the amounts wagered in the game to the player;
- (c) retain the prize or amounts won; or
- (d) take legal action against the player.

PART VI CONTROL SYSTEMS

Standards,
Specification
and guidelines

36. (1) The Board shall establish technical standards, specifications and guidelines in relation to gaming equipment and systems.

(2). Gaming equipment and systems, whether under the direct control of the licence holder or an associate, shall form part of the control systems and are subject to Regulations relating to control systems.

establishment
of
control
system

37.(1) A licence holder shall establish and maintain control systems for the purposes of exercising effective control of its operations.

(2) The proposed control system must include at a minimum the following:

- (a) computer software;
- (b) general procedures to be followed for the conduct of game as well as the terms and conditions of play.
- (c) procedures and standards for the maintenance, security, storage and transportation of internet gaming equipment;
- (d) procedures for:

- (i) recording gaming transactions and the payment of winnings to players;
 - (ii) using and maintaining security facilities;
 - (iii) appointing and conduction of system security audit;
 - (iv) such other information as the Board may require.
- (e) technical standards which shall include at a minimum the following requirements:
- (i) internet random number generator;
 - (ii) internet report;
 - (iii) internet network infrastructure and computer systems;
 - (iv) internet, wagering application;
 - (v) internet system integrity; and
 - (vi) internet casino game (general requirements).

Approval of
control
systems

38.(1) A licence holder shall, at least ninety (90) days before the commencement of internet casino game operations, submit an application, in a manner approved by the Board, for approval of the control systems, to the Board.

(2) Every authorized game to be conducted shall be conducted using the approved control systems.

(3) A licence holder shall make a submission of a control system change to the Board for the approval. The control system change submission must contain particulars of the proposed material changes of the licence holder approved control system.

Failure to

report changes 39. Failure to report a material change of an approved control system pursuant to Regulation 38, may result in one or more of the following sanctions:

(a) immediate amendment, suspension or revocation of the licence holder authorization to which the change relates;

(b) for each material change that was not reported, a fine of not less than Tanzania Shillings two million and not more than Tanzania shillings thirty million.

Decision 40. (1) The Board with the assistance of the approved agents, consider a control systems submission or control systems change submission and shall, within ninety days:

(a) approve the proposed control systems or proposed change of the approved control systems;

(b) refuse to approve the proposed control systems or proposed change of the approved systems; or

(c) request such additional information as the Board may require to either approve or disapprove the submission.

(2)The Board shall promptly serve the licence holder with a written notice of the Board's decision to approve or to refuse to approve a control system submission or control system change submission.

(3) Where the Board refuses to approve a submission in terms of sub regulation (1) (b), it shall provide written notice stating the grounds for the decision and, where the Board believes the submission can be rectified to enable it to give an approval, the notice shall also:

(a) explain how the submission may be changed; and

(b) invite the licence holder to resubmit the submission after making the appropriate changes.

Direction
to change
control
system

41. The Board may, by written notice, direct the licence holder to change its approved control system within the time, and in the manner stated in the notice and he shall comply with the direction within thirty (30) days of the date on which the notice is received or such other period of time as the Board may specify.

Failure to
comply

42. Where the licence holder fails or refuses to comply with the Board's direction made pursuant to regulation 41, the approval for the licence holder's control system may be terminated and its authorization of the control system may be suspended or revoked.

Continuous
compliance
program

43. All licence holder shall be subjected to a continuous compliance program, pursuant to which Approved Agents will on a regular basis assess and report to the Board whether:

(a) the control system being used by the licence holder:

(i) is functioning in accordance with the standards against which the control system was measured at the time it was first approved;

(ii) has not been materially changed from the time it was first approved, unless such material change has also been approved;

(b) there are any indications of money-laundering, fraud or collusion in relation to the licence holder's operations;

(c) the licence holder is meeting its obligations to players in a timely manner:

(d) the licence holder's live output of authorized games is fair and random.

Design and
implementation
of program

44.(1) The design and implementation of a continuous compliance program for a licence holder shall take consideration of the following:

- (a) features of control system owned by the licence holder;
- (b) the volume and quality of data available for the time period in question;
- (c) whether the licence holder is subject to other independent auditing or monitoring programs;
- (d) whether the licence holder is a publicly traded company.

(2)The Board may discuss with the licence holder the design and implementation of a suitable continuous compliance program, and any changes that may be required to the program from time to time. However, the Board may, approve the continuous compliance program that will apply to a licence holder and the licence holder shall comply with the approved program.

Confidentiality
of
information

45. All information obtained by an Approved Agent or the Board as the

result of a continuous compliance program will be held in the strictest confidence and will be destroyed five years after the date on which it is obtained.

Review of
Control
systems

46. (1) The Board shall at least once every year cause the control systems of each licence holder to be examined by an appropriate official or an examiner appointed by the Board;

(2) The cost of any examination carried out pursuant to sub regulation (1) shall be borne by the licence holder; and

(3) In reviewing the operations conducted by the licence holder, the examiner appointed under sub regulation 1 shall have regard to the following:

(a) any changes to the control system and operating environment since the previous review;

(b) the effectiveness of the licence holder's control systems to ensure compliance with all statutory and Board requirements; and

(c) the licence holder's compliance with its control systems.

Standards for
design, use and
maintenance of
website

47.(1) The homepage of a website where the game will be accessed shall contain, at a minimum, the following information:

(a) the name and registered address of a licence holder;

(b) the operating licence number and date of issue of the licence;

- (c) a statement that a licence holder operations are regulated by the Board;
- (d) Hyperlinks to the games and betting offered;
- (e) hyperlinks to the procedures adopted by a licence holder for the registration of player and the control of player accounts; and
- (f) any other information that the Board may require.

(2) A licence holder shall display on the screen, at all times during the game, a

counter which automatically updates and shows the player's account balance;

(3) A licence holder may not offer full screen games, unless a real time clock is displayed on the screen at all times and players are given the facility to exit the game.

Standards
for security,
access and
maintenance

48.(1) A licence holder may only provide in its website, games that :-

- (a) are tested by approved agent (gaming laboratory),
- (b) are certified by appointed authority ,
- (c) are secure and reliable,
- (d) have pre-approved return to player (RTP's) and audited; and
- (e) meet any other requirement as may be determined by the Board.

(2)The games contemplated in sub regulation (1) shall be approved by the Board before being provided in the website;

(3) Virus scanners and detection programmes shall be installed on all pertinent information systems;

(4) The programs contemplated in regulation (2) shall be updated regularly to scan for new strains of virus;

(5) Controls must be in place for changes to information processing facilities and systems in order to reduce the risk of security or system failures;

(6) Player account numbers stored on the system shall be secured from unauthorized use;

(7) A firewall, which must be a separate computer system or systems with the following characteristics, shall be present:

(a) only firewall-related application shall reside on a firewall;

(b) only a limited amount of accounts shall be present on a firewall;

(c) all data packets addressed to a firewall shall be rejected if they arrive on interfaces to networks that are outside the baseline envelope;

(8) The firewall shall:

(a) be able to be configured such that all connections to and from the internal network go through the firewall;

(b) reject all connections except those that have been specifically approved by the relevant authority;

(c) have strong user authentication;

(d) have detailed at the application level including successful games is fair and random.

(9) The system shall use password history techniques to maintain a password history of users, which shall contain the last 13 passwords of users stored in encrypted form;

(10) Passwords on the system shall be changed every thirty (30) days;

(11) The system shall:

- (a) provide the facility to users to change their passwords;
- (b) restrict the echoing of passwords when they are entered; and
- (c) limit the number of failed logon attempts to three and the rate at which logon attempts can be made to 10 minutes.

PART VII

INTERNAL CONTROL

Establishment
of internal
control

49. (1) Licence holders shall establish and maintain administrative and accounting procedures for the purpose of exercising effective control over its internal affairs.

(2) The Internal Control Procedures shall reasonably ensure that:

- (a) the licence holder's assets are safeguarded;
- (b) financial controls are in place,
- (c) financial records are accurate and reliable,
- (d) transactions performed are in accordance with management's authorization and approval,
- (e) transaction are recorded accurately to ensure proper assessment of revenue,

(f) functions, duties and responsibilities are appropriately segregated and performed in accordance to sound practices by competent and qualified personnel.

Approval of
internal
controls

50.(1) A licence holder shall, at a date determined by the Board and before operations commence, submit an application for approval of internal control systems, to the Board;

(2) An application contemplated in sub-regulation (1), shall be made in a form approved by the Board and shall be accompanied by all the required documentation;

(3) The proposed internal control systems shall, at a minimum, include the following:

- (i) an organizational chart including but not limited to segregation of functions and responsibilities;
- (ii) a description of the duties and responsibilities of each position shown on the organizational chart;
- (iii) accounting systems and procedures and a chart of accounts;
- (iv) administrative systems and procedures;
- (v) computer software;
- (vi) general procedures to be followed for the conduct of games;
- (vii) procedures and standards for the maintenance, security, storage and transportation of internet casino gaming equipment;
- (viii) procedures for:
 - (a) recording gaming transactions and the payment of winnings to players;
 - (b) using and maintaining security facilities;
 - (c) preventing underage players from participating in games;
 - (d) detecting and preventing money-laundering; and

(e) such other information as the Board may require.

(4) The Board shall, within a reasonable time, consider the application and make a determination on whether to:

- (a) approve the proposed internal control systems;
- (b) decline the proposed internal control systems; or
- (c) request for additional information.

(5) In considering the application, the Board may:

- (a) submit the proposed internal control systems for testing by approved agents or any accredited authority;
- (b) request further information on the submitted application prior to making a determination, and consider whether:
 - (i) the application satisfies the requirements of the Act and these regulations; and
 - (ii) the proposed internal control systems are capable of providing effective control over the conduct of games.

(6) In the event the application for the approval of the internal control systems is declined, the Board shall:

- (a) notify the licence holder, in writing, that the application has been declined ; and
- (b) furnish the licence holder with grounds for its decision to decline the application;

(7) Where the Board believes that the application can be rectified to enable it to give approval, the notice contemplated in sub-regulation (6) shall;

- (a) explain how the application may be amended; and
- (b) invite the licence holder to resubmit the application, within a specified period, after making the appropriate amendments;

(8) Where the licence holder fails to comply with the Board's directive contemplated in sub-regulation (7) within the specified period, the application for approval of the internal control lapses.

Procedures 51.(1) The licence holder shall, in writing, request the Board for amendment of its Internal Control Procedures which the Board shall consider and make the determination in line with Regulation 50 (3).

(2) Failure of the licensee holder to comply with sub regulation (1) the Board may impose a fine of Tanzania Shillings 10,000,000.00. The fine imposed by the Board shall be paid to the Board in full, within thirty (30) days after the date in which the fine is imposed, failing which the Board may impose such additional sanctions, including suspending or revoking the licence.

PART VIII

REPORTING OF SUSPICIOUS ACTIVITIES

Rules and
procedures for
suspicious
transactions

52(1) A licence holder shall establish specific rules and procedures approved by the Board to enable him to recognize and prevent suspicious transactions in connection with the deposit of monies illegally obtained and the withdrawal of such monies from player accounts.

(2) The rules and procedures contemplated in sub-regulation (1) shall include, at a minimum:

- (a) provisions for the licence holder to know his players;
- (b) protocols for licence holder to recognize, address and prevent suspicious or possible fraudulent transactions; and
- (c) system to monitor and report to the Board and Financial Intelligence Unit of Tanzania suspicious transactions concerning players' accounts;

(3) The monitoring system contemplated in sub-regulation (2) (c), shall be capable of detecting:

- (a) potential money laundering activities by analyzing transactions and user profiles in real time and associating those with risk profiles;

- (b) unusual betting patterns associated with money laundering; and
- (c) attempts to evade thresholds;

(4) A licence holder shall always have under his employment, appropriately trained personnel who will be responsible for notifying the relevant authority in real time of such activities;

(5) A licence holder shall maintain an independent history of all gaming activities to allow forensic investigation of potential money laundering.

Reporting of
unlawful
acts

53.(1) In the event a licence holder, becomes aware, or reasonably suspects, that:

- (a) a person has obtained a benefit for himself or another person, by a dishonest or unlawful act affecting the conduct or playing of an authorized game;
- (b) there has been an unlawful act which has affected the conduct or playing of an authorized game, then the licence holder or service provider of the licencee, as the case may be, immediately comply with subregulation 2.

(2). Within twenty-four (24) hours, or as soon as practicable, of becoming aware of, or suspecting, the dishonest or unlawful act, the licence holder, or service provider shall give the Board a written notice advising the Board of all facts known about the matter.

duty to report
suspicious
activities

54. In the event a licence holder, becomes aware or reasonably suspects, that there is a fraudulent or suspicious transaction which may involve money laundering, or an activity similar to money laundering, the licence holder shall within twenty-four (24) hours or as soon as practicable, report in writing the suspicious activity to the Financial Intelligence Unit and the Board, as designated under the Money Laundering Act. The Board may suspend or revoke the licence of any person who fails to comply with this Regulation.

PART IX MONITORING

Continuous

monitoring
program

55. A licence holder shall be subject to a continuous monitoring program prepared by the licence holder, pursuant to which approved agents may on regular basis assess and report to the Board whether:

- (a) the control system utilized by the licence holder or service provider:
 - (i) is functioning in accordance with the standards against which the control system was measured at the time it was first approved;
 - (ii) has not been materially changed from the time it was first approved, unless such material change has also been approved;
- (b) there are any indications of money-laundering, fraud or collusion in relation to the licence holder operations;
- (c) the licence holder is meeting its obligations to players in a timely manner;
- (d) the licence holder live output of authorized game is fair and random.

Approval of
monitoring
program

56.(1) The Board shall approve a program for the continuous monitoring of licence holders and service provider.

(2). The Board is responsible for ensuring that monitoring under an approved monitoring program is conducted in accordance with the program.

(3) The Board may discuss with the licence holder the design and implementation of the suitable continuous monitoring program and any changes that may be required to the program from time to time. However, the Board may, in its discretion, approve the continuous monitoring program that will apply to a licence holder.

Powers to
conduct
investigation

57.(1) The Board shall have power to investigate any licence holder, service provider and any key person to determine whether the licence holder, service provider or key person is suitable to hold, or to continue to hold a licence issued under these Regulations;

(2). The Board may at any time investigate a licence holder, service provider or a key person only if the Board reasonably suspects that the licence holder, service provider or key person is not, or is no longer, suitable to hold a licence issued by the Board.

Provision of

information for
investigation

58. In investigating a licence holder, service provider or a key person the Board may, by writing, require the licence holder, service provider or the key person to provide the Board with information or documentation that the Board considers relevant to the investigation and the licence holder, service provider or the key person shall comply with the requirement.

PART X

PLAYER PROTECTION

Age of
participants

59. (1) A licence holder shall take all reasonable and available measures to ensure that a person under eighteen (18) years does not participate as a player in a game. A licence holder that willfully or carelessly allows a person under eighteen (18) years to participate as a player in an authorized game commits an offence and any person being of an age above eighteen (18) who permits or causes a person under eighteen (18) years to commit an act which is prohibited under these Regulations shall also be deemed to have breach these Regulations and may have its licence be suspended or revoked and is subject to the imposition of a fine for each instant of such breach, of not less than Shillings 10,000,000.00 and not more than Shillings 30,000,000.00;

(2) A licence holder shall not allow anyone under eighteen (18) years to participate in operations related to the conduct of authorized games.

Systems to
prevent under
age players

60. As part of its control systems, a licence holder is responsible for establishing effective systems to ensure players under the full age of eighteen (18) years do not participate in a game or gaming activities.

Modification of
Systems

61. In the event the Board is not satisfied with the systems established by a licence holder in accordance with Regulation 60, the Board may direct the licence holder to modify its systems or to implement new systems.

Money return

to underage

62.(1) A licence holder shall return any money paid in respect of the use of its services by a player under the age of eighteen years as soon as is reasonably practicable.

(2). A prize won by a player under the age of eighteen years by participation in an authorized game contrary to Regulations 59(1), is forfeited to the Board.

Refuse to register

63. (1) A licence holder may refuse to register a person as a player in an authorized game under a name that is obscene, indecent or offensive.

(2). A licence holder may only register a person as a player on receipt of an application for registration in a form approved by the Board as part of a control system submission.

Terms of agreements with players

64. Documents for opening a player's account shall:

(a) clearly establish a legally enforceable contractual relationship between a licence holder and the player; and

(b) not include any terms that are unfair or unreasonable to the player. A player is limited to one player account for any website operated by a licence holder.

Deviation from rules

65. All games and betting events shall follow a constant set of rules and shall at no time deviate from those rules. A rule change will constitute a different game or betting event, although variations to the maximum number of bets per game are permitted.

Separation of accounts

66. A licence holder shall ensure that a licence holder's liability for player balances is separately identifiable at all times.

Bankroll

requirements 67. A licence holder shall ensure that player balances and prizes, bonuses and guaranteed amounts are covered as the Board may approve or require cash or cash equivalent in amount sufficient to reasonable protect the player against default in gaming debts owed by the licence holder at all time and that upon request the Board is provided with the proof of the same.

Adjustment of
player's
account

68. Any manual adjustments made to a player's account shall be reviewed and authorized by the appropriate authorized management personnel.

Provision
of credit

69. Unless authorized by the Board, a licence holder shall not provide credit to a player or a player's account or act as agent for a credit provider to facilitate the provision of credit to a player or a player's account.

PART XI

RESPONSIBLE GAMING

Display of
notice of
warning

70. (1) A licence holder shall display, at all times, a hyperlink on any screen where the games play, to a notice containing a warning:

(a) of the addiction possibilities of internet casino gaming; and

(b) that internet casino gaming could be harmful if not controlled and kept in moderation;

(2) A licence holder shall always ensure that it has adequate personnel who are properly trained to monitor and provide advice on problem gambling;

(3) The homepage of the licence holder website shall clearly display a link to the licence holder responsible gambling policy and a notice directing a player to the professional personnel.

(4) The responsible gambling policy shall contain, at a minimum, the following:

(a) an advice that the site provides information on problem gambling, and a link to that information including help-line numbers;

(b) a list of player protection measures that are available on the site and access to these measures;

(c) a link to a simple self-assessment process to determine a risk potential;

(d) information and links to the Gaming Board of Tanzania website;

(5) The homepage of the licence holder website shall:

(a) clearly display a notice stating that no player below the full age of 18 is permitted to participate in internet casino games;

(b) provide a link to a recognized filtering program to enable

the licence holder to prevent minors from accessing internet casino games;

- (7) The licence holder free play games page shall provide the same age restriction, responsible gambling and player protection information and links on the real money page.

Self
exclusion

71. A player may request to be self excluded from an authorized internet casino game or website by means of a telecommunication device. Players that are self excluded may not be reinstated for a period of six (6) months from the date of self-exclusion. Revocation of self-exclusion shall be requested to the Board in writing after the six (6) month self-exclusion period has expired.

Information
on player
exclusion

72. (1) A licence holder shall prominently display on any screen of the website where the game play may occur, links to the information and forms to be used by a person who wishes to register as an excluded person as contemplated in Regulation 71.

(2) The homepage of the licence holder website shall clearly display a link to the player exclusion policy;

(3) Self-exclusion due to a gambling problem shall be for a minimum period of 6 months;

(4) The licence holder shall not send any promotional material to a player who has been excluded from gaming, during the exclusion period;

Limiting
bets or
wagers

73. (1) A player may, by notice to the licence holder, set a limit on the amount the player may deposit or wager.

(2) A player who has set a limit with regard to this regulation may amend or revoke the limit by written notice given to the licence holder.

(3) A notice increasing or revoking the limit shall not take effect unless:

- (i) Seven (7) calendar days have passed since the licence holder received the notice;
- (ii) Seven (7) calendar days have passed since the person or player gave the notice; and
- (iii) The player has not withdrawn the notice.

(4) A licence holder shall not accept a wager from a person or player who has given notice pursuant to subregulation (3)i of this regulation.

Gaming addiction
Research and
Education fund

74. (1) The Board may establish and maintain a fund (the 'Gaming Addiction Research and Education Fund') to be used for the purpose of researching and educating the public about the risks associated with gaming and gaming addictions, and about available treatment programs.

(2) The Gaming Addiction Research and Education Fund will consist of contributions from licence holders and such other monies received by the Board, in its discretion, may designate for the purpose.

(3) The Board shall require licence holders to contribute one per centum of the total Gross Gaming Revenue (GGR) to The Gaming Addiction Research and Education Fund.

Administration

of funds

75. The Board will determine the types of programs and services to be funded by the Gaming Addiction Research and Education Fund.

Protection of

Gaming addiction

Research and

Education Fund

76. The funds held in the Gaming Addiction Research and Education Fund will not be used to reimburse players for monies they may have lost through gaming activities.

PART XII

COMPLAINTS AND DISPUTE RESOLUTION

Complaints
and dispute
resolution
process

77. (1) Any person who has a complaint to the conduct of the internet casino game by a licence holder may file a complaint with the licence holder by submitting Form No. GBT 9 as provided in these Regulations;

(2) A licence holder who has received a complaint or dispute as contemplated in sub-regulation (1) shall immediately inquire into the complaint, and within seven (7) days of the dated of the said complaint or dispute, deliver a written notification of the result of the complaint or dispute;

(3) Where any party to the complaint or dispute contemplated in sub-regulation 2 is aggrieved by the decision, within seven days after receipt of notification of the result, refer the matter to Board for resolution;

(4) The referral contemplated in regulation (3) must be in Form No. GBT 10 as provided to these Regulations;

(5) Upon receipt of a referral contemplated in sub-regulation (3), the Board shall immediately require into the complaint or dispute;

(6) The Board may;

(a) request additional information or documentation from any party to the complaint or dispute;

(b) review the evidence submitted to it, without calling for any further information or documentation; or

(c) conduct interviews with the parties and other witnesses; and

(7) Upon conclusion of its investigation, the Board shall make a determination on the matter, which shall be contained in a written statement of findings to the parties in complaint or dispute.

Records of
Complaints

78. A licence holder shall maintain adequate records of all complaints and disputes it receives and such records must be provided to the Board in timely manner.

Vexatious
complaints

79. Notwithstanding any provision of this part, the Board may dismiss a complaint without an inquiry or investigation if the Board, in its sole

discretion, is satisfied that a complaint is on its face vexatious, unfounded or does not fall within the Board's jurisdiction.

PART XIII

REPORTS, RECORDS AND RETURNS

Gaming
records

80. (1) A licence holder shall be required to keep gaming records as determined under these regulations;

(2) The Board shall approve the manner in which such records shall be kept;

(3) The Board may specify gaming records of the licence holder that is not required to be kept in the manner contemplated in sub-regulation 2;

(4) Gaming records shall be kept for a period of five years after the end of the transaction to which the record relates however, the Board may require a licence holder to keep records for a longer period than specified in this sub-regulation or in other Acts.

Record
keeping on
winding up
process

81. Where a licence holder winds up or ceases to operate the internet casino business, the Board shall approve the means by which records shall be kept for the purpose of compliance with these Regulations. All costs associated with the keeping of those records shall be funded by the licence holder.

Annual
review

82 (1) The Board shall at least once every year cause the books, accounts

and financial statements of each licence holder for the financial year to be examined by an appropriate official or an examiner appointed by the Board; and

(2) the cost of any examination carried out pursuant to sub regulation (1) shall be borne by the licence holder.

(3) In reviewing the operations conducted by the licence holder, the examiner appointed under Regulation 82 shall have regard to the following:

- (a) the suitability of the licence holder to continue to hold a licence to conduct internet casino game;
- (b) the compliance requirement established by the Board;
- (c) the proper keeping of gaming and accounting records in accordance with this part;
- (d) the proper training of staff and the appointment of a qualified compliance officer;
- (e) the licence holder's compliance with the provisions of
 - (i) The Money Laundering Act and any regulations made thereunder;
 - (ii) The Prevention of Terrorism Act and any regulations made thereunder; and
 - (iii) any guidelines and directions issued by the Board;
- (f) the solvency of the licence holder;
- (g) the manner in which the licence holder manages the player funds;
- (h) the safety and soundness of the operations of the licence holder;
- (i) the capital adequacy requirements as approved by the Board; and

(4) In the exercise of the duties conferred upon the examiner by these Regulations, the examiner may:

(a) call upon any officer of the licence holder for any explanation and information which the examiner may require in order to enable him to discharge his duties; and

(b) require production to the appointed examiner of any book, accounts, vouchers or papers under the control of any officer of the licence holder relating to the operation of the licence holder's business.

(5) Where in the course of the performance of the examiners duties an examiner is satisfied that there has been a serious breach of non-compliance with the provisions of the Act, these Regulations or notice, order, guidelines or directions issued by the Board, the examiner shall report the matter forthwith to the licence holder and the Board.

Accounting
records

83. A licence holder shall:

(a) keep accounting records that correctly record and explain the transactions and financial position for the licence holder's operations;

(b) keep the accounting records in a way that allows:

(i) true and fair financial statements and accounts to be prepared from time to time; and

(ii) the financial statements and accounts to be conveniently and properly audited.

Audited
financial
statements

84.(1) A licence holder shall in order to comply with sub regulation 3 after

the end of each financial year, prepare annual financial statements in accordance with International Financial Accounting Standards.

(2) The licence holder shall engage an independent accountant and auditor registered with the National Board of Accountants and Auditors who shall audit the annual statements in accordance with generally accepted audit standards.

(3) The licence holder shall submit to the Board three copies of the audited annual financial statements and any reports communicating the results of the audit including management audit report not later than 180 days after the close of the licence holder financial year.

PART XIV

ADVERTISING

advertisements
on licensed
operations

85. (1) No person shall advertise or cause to be advertised internet casino operations unless that person holds a valid internet casino licence issued by the Board;

(2) A licence holder shall not advertise an internet casino game unless that game is approved game.

(3) In addition to the requirements of sub-regulations (1) and (2) a licence holder shall not advertise or cause to advertise internet casino website or a game in a manner that:

- (a) is false, deceptive or misleading;
- (b) is intended to appeal specifically to minors;
- (c) implies that interactive gambling promotes or is required for social acceptance, personal or financial success or the

resolution of any economic, social or personal problems;
(d) contains endorsements by well known personalities that suggest internet casino gaming contributed to their success.

(4) A licence holder who advertises or cause to advertise an authorized game shall ensure that the advertising is not indecent, pornographic, offensive, false, deceptive or misleading.

(5) The Board shall, on its own accord or pursuant to a complaint, make a determination on whether an advertisement contravenes any of the requirements contemplated in these Regulations

(6) Where the Board determines that an advertisement contravenes any of the requirements under these Regulations, it shall order the licence holder to take appropriate steps to:

- (a) stop the advertisement from being published or shown
- (b) change the advertisement;

(7) The order by the Board contemplated in sub regulation 6, shall;

- (a) be in writing;
- (b) state the grounds for the direction;
- (c) if it is a direction to change advertisement, state how the advertisement must be changed.
- (d) specify a period of time within which to comply with the order, and
- (e) inform the licence holder of its right to apply for review the decision of the Board and the time period within which to lodge the application for review.

Message on

underage 86. A licence holder shall ensure that any internet casino game must include a clear message regarding restricting underage play.

Restrictions
to internet
facilities

87. Any person who makes computer or internet access facilities or similar devices available to the public for a fee shall not have, in any of the said devices, an internet casino website as a home page.

PART XV

PROHIBITIONS AND SANCTIONS

Sanction against
unapproved
games

88. It shall be unlawful for a licence holder to provide in its website, games that are not approved by the Board, tested and certified by the approved agent, and are not secure and reliable. Failure by the licence holder to comply with these Regulations, the Board may impose a fine of Shillings 25,000,000.00 and such additional sanctions, including suspending or revoking the licence.

Sanction against
registration
of players

89. It shall be unlawful to register a player unless the player's identity has been authenticated in accordance with the license holder's approved control systems. Failure by the license holder to comply with these Regulations, the Board may impose a fine of Shillings 5,000,000.00 and such additional sanctions, including suspending or revoking the licence.

Sanction against

participation

of minors

90. It shall be unlawful for a license holder to publish, display, advertise or provide a link to a website, media or any facility which may enable minors to access internet casino games. Failure by the licence holder to comply with these Regulations, the Board may impose a fine of Shillings 5,000,000.00 or any other additional sanctions it may deem fit.

Sanction against

non establishment

of players

fund

91.(1) It shall be unlawful for a license holder to operate internet casino games without having cash or cash equivalent amount sufficient to reasonably protect the player against default in gaming debts, owed by the licence holder. Failure by the licence holder to comply with these Regulations, the Board may impose a fine of Tanzania Shillings 10,000,000.00

Sanction against

mismanagement

of records

92. It shall be unlawful for a licence holder to keep records in a manner which contravenes any regulation under PART XIII of these Regulations. Failure by a licence holder to comply with these requirements, the Board may impose a fine of Shillings 15,000,000.00

Sanctions

against

adverti-

sements

93. It shall be unlawful for a licence holder or any other person to make advertisements or any form of marketing in a manner which contravenes any Regulation under PART XIV of these Regulations. Failure to comply

with these requirement, the Board may impose a fine of Shillings 5,000,000.00

PART XVI

MISCELLANEOUS PROVISIONS

Rules to be
posted
in English

94. Rules shall be posted in English language and any other language the licence holder deems appropriate.

Use of
Currency

95 .All amounts referred to in these Regulations are calculated and payable in United States of America Dollar or equivalent to Tanzania Shillings.

Disclosure of
player's
information

96. A licence holder or his employee or other person engaged in duties related to the conduct of an authorized game shall not, without authorization of the player:

(a) disclose information about the name, or other identifying particulars, of a player; or

(b) use information about a player for a purpose other than the purpose for which the information was given.

Confidentiality
of

information 97. A person who is, or was, a member of the Board, an official, staff or agent of the Board, shall not disclose information gained by the person in performing functions under these Regulations.

Exemption 98. Notwithstanding any thing provided in Regulation 98, disclosure of information shall not apply to a person:

(a) for a purpose under the Act, these Regulations or any other law applicable within Tanzania;

(b) with a lawful excuse; or

(c) pursuant to an approval of the Board.