



ONLINE GAMBLING REGULATION ACT 2001

ONLINE GAMBLING DUTY ORDER 2005

Approved by Tynwald

17 May 2005

Coming into operation

1 June 2005

In exercise of the powers conferred on the Treasury by section 5 of the Online Gambling Regulation Act 2001^(a), and of all other powers enabling it in that behalf, the following Order is hereby made:-

Citation, commencement and interpretation

1. (1) This Order may be cited as the Online Gambling Duty Order 2005 and, subject to section 5(8) of the Act, shall come into operation on 1st June 2005.

(2) In this Order –

“the Act” means the Online Gambling Regulation Act 2001;

“gross gaming yield” has the same meaning as in section 5(4) of the Act;

“online gambling” has the same meaning as in section 1 of the Act; and

“period” means a calendar month, or such other period not exceeding five weeks as may be allowed in writing by the Collector.

Rate of online gambling duty

2. For the purposes of section 5(3) of the Act the prescribed proportion of the gross gaming yield is as follows –

- | | | |
|-----|----------------------------------------------------------------------------------------------------|------|
| (a) | for gross gaming yield not exceeding £10 million per annum | 2.5% |
| (b) | for gross gaming yield of more than £10 million per annum, but not exceeding £40 million per annum | 0.5% |
| (c) | for gross gaming yield exceeding £40 million per annum | 0.1% |

Provided that, in any case, the amount of duty in any period shall not be less than zero.

^(a) 2001 c.10.

Returns

3. (1) Pursuant to section 5(3) of the Act, every person licensed under the Act shall furnish to the Collector a statement in the form in the Schedule to this Order for each period, or part thereof, that he is licensed.

(2) The statement referred to in paragraph (1) shall be furnished to the Collector not later than the fifteenth day after the last day of the period to which it relates and shall contain full information on all matters for which the statement provides.

(3) Every person furnishing a statement in pursuance of this article shall complete and sign the declaration thereon and, subject to paragraph (4), shall send therewith to the Collector the amount of duty due.

(4) Every person from whom duty is due to be sent to the Collector pursuant to paragraph (3) may use an alternative method of payment if permitted to use that method in writing by the Collector.

Revocation

4. The Online Gambling Duty Order 2001^(b) is revoked.

^(b) S.D. No. 254/01.

SCHEDULE

Online Gambling Duty

DUTY STATEMENT



For the period from _____ to _____
 (These dates must not be altered without the agreement of Customs and Excise)

| |
|---------------------------|
| Name of licensed operator |
|---------------------------|

| | |
|-------------------------------------------|--|
| Period | |
| To reach Customs and Excise no later than | |
| Operator's reference number | |

Particulars of gross gaming yield

| | Figures may be given in sterling or euros | | Official use only |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|--|-------------------|
| | | | |
| Amount of all bets and stakes made or price of chances sold | | | |
| <i>Less</i> the value of all winnings and prizes due | | | |
| Gross gaming yield for period | | | |
| Duty payable | | | |
| You must ensure that the completed statement and any duty payable are received no later than the due date by Customs and Excise, PO Box 6, Custom House, Douglas, Isle of Man, IM99 1AG | | | |

| | Figures may be given in sterling or euros | |
|-------------------------------------------------------------|---------------------------------------------|--|
| | | |
| Amount of duty due for the period | | |
| <i>Less</i> overpayments arising from previous statement(s) | | |
| <i>Add</i> underpayments arising from previous statement(s) | | |
| TOTAL amount of duty to be paid | | |
| Type of currency used in this statement | Sterling / Euros (delete as appropriate) | |

DECLARATION BY SIGNATORY

I _____ (full name in BLOCK LETTERS) declare that the information given above is complete and correct and includes a full and true account of the gross gaming yield chargeable with online gambling duty under the Online Gambling Regulation Act 2001 for the period shown on this statement and of the duty due and payable on that gross gaming yield.

Signed: _____ Date: _____ Status: _____

Remittance enclosed / payment made by credit transfer (delete as appropriate)

Note: payment of duty by credit transfer requires the prior permission of Customs and Excise

WARNING

Failure to furnish a statement or pay the duty, making a declaration which is false, or the furnishing of a statement which is false in any material particular are offences, which may involve heavy penalties.

Made this 22nd day of April 2005


Minister for the Treasury

EXPLANATORY NOTE
(This note is not part of the Order)

This Order sets the rates of online gambling duty payable in respect of gross gaming yield of any online gambling conducted pursuant to a licence issued under the Online Gambling Regulation Act 2001.

The rate of duty shall be –

- | | | |
|-----|-------------------------------------------------------------------------------------------------------|------|
| (a) | for gross gaming yield not exceeding £10 million per annum | 2.5% |
| (b) | for gross gaming yield of more than £10 million per annum, but not exceeding £40 million per annum | 0.5% |
| (c) | for gross gaming yield of more than £40 million per annum | 0.1% |

The period for use in accounting for duty are prescribed by the Order as being either a calendar month, or any period not exceeding five weeks as may be allowed by Customs and Excise.

The Order also prescribes the form of the return (statement) required from licensed operators.