

## Gambling Privacy Notice

### Introduction

The Isle of Man Gambling Supervision Commission (“the Commission”) is registered with the Isle of Man Information Commissioner as a data controller under Isle of Man data protection legislation.

This policy explains what information the Commission collects about individuals (‘personal data’), its reasons for doing so and how it holds, uses and discloses that information.

The Privacy Policy section of our website sets out how the Commission collects and uses information for other specific reasons.

For information on how the Commission manages personal data in relation to its regulatory activities for medicinal Cannabis, please see our website [www.isleofmangsc.com/privacy/](http://www.isleofmangsc.com/privacy/)

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## Why do we collect personal data?

The Commission is the Island's gambling regulator and is responsible for the licensing and regulation of both online and land-based gambling operations. This includes the casino, amusement and slot machines, betting offices and lotteries.

The Commission's regulatory objectives are laid out in the Gambling Supervision Act 2010 and are:

- to keep the gambling industry crime free
- to protect the young and those at risk
- to ensure that the services offered by licence holders are fair and that players receive their true winnings

Whilst discharging these functions the Commission has regard to:

- the need for the regulation, supervision and control of gambling to be effective, responsive to commercial developments, and proportionate to the benefits which are expected to result from the imposition of any regulatory burden;
- the need to use its resources in the most efficient and economic way;
- the desirability of implementing and applying recognised international standards;
- the desirability of cooperating with governments, regulators and others outside the Island;
- the need to safeguard the reputation of the Island;
- the responsibilities of those who manage the affairs of persons permitted to carry on regulated activities;
- the international character of gambling; and
- the desirability of facilitating the development of the gambling industry in the Island; securing competition within that industry; and ensuring that gambling products promoted by that industry can compete effectively throughout the world.

Collecting and processing personal data is essential to enable the Commission exercise its functions appropriately.

## What personal data do we collect about you?

We generally collect the following categories of personal data to support our regulatory objectives:

- **Identifying information:** such as name, date and place of birth, nationality and other unique identifiers such as government-issued identification and national insurance number.
- **Contact information:** such as telephone number, email address, physical addresses.
- **Professional information:** such as education and employment history including schools and places of higher education attended, relevant qualifications, details of current and previous employment, and academic and employment references, job role etc.
- **Financial information:** such as a person's financial situation, solvency and any past declarations of bankruptcy and any civil convictions.
- **Legal information:** such as being subject to current or past civil litigation, or being subject to successful investigation by a governmental, professional or other regulatory body.
- **Criminal activity:** this includes current and spent convictions as well as pending charges relating to criminal offences of individuals who control or manage the affairs of licence holders or those entities applying for a gambling licence.
- **Corporate information:** this includes personal information in relation to a corporate entity such as information about the Directors, shareholders, legal representatives, ultimate beneficial owners and other key positions i.e. Money Laundering Reporting Officers.

The Commission regulatory activities are such that it does not need to process personal data relating to special categories such as children, race, ethnicity, political opinions, religious or philosophical beliefs, trade union membership, genetic or biometric data, health, sex life or sexual orientation.

If we find that we have been provided with personal data of this nature, this will be reviewed and appropriate steps taken to delete such data and prevent it from being acquired in future.

## Where do we collect personal data from?

We may collect personal data directly from individuals or indirectly from other entities or agencies. The table below provides examples of ways in which we collect and process personal data:

Personal data is collected from...	To enable us to...
<b>Individuals involved in the control or management of gambling activity on the Isle of Man</b>	Approve people to carry on gambling activity in or from the Isle of Man
<b>People we regulate</b>	Assess whether people we regulate comply with regulatory standards
	Take appropriate action to supervise and enforce compliance with regulatory standards
<b>Customers of people we regulate</b>	Assess whether those we regulate comply with regulatory standards and to investigate complaints made
	Take appropriate action to supervise, investigate and enforce compliance with regulatory standards
<b>People we approve</b>	Assess whether people we approve are fit and proper people
	Take appropriate action to supervise, investigate and enforce compliance with relevant standards
<b>People who use our website</b>	Monitor use of the website to identify areas for improvement
<b>People who use our online forms and systems to submit information</b>	Receive regulatory information electronically such as STRIX
<b>People who receive other services we provide</b>	Provide services to help achieve our regulatory objectives, such as by hosting conferences or seminars

<b>Personal data is collected from...</b>	<b>To enable us to...</b>
<b>People who contact us</b>	Respond to an enquiry or address a particular issue
<b>People who respond to our consultations and surveys</b>	Consider feedback and develop our approach accordingly
<b>People who apply to us for jobs, and current and former employees</b>	To enable us to employ suitable candidates, manage existing employees and comply with our obligations as an employer
<b>Open Source information</b>	<p>To enable us to meet our regulatory objectives and obligations to combat financial crime under Anti-Money Laundering and Countering the Financing of Terrorism legislation.</p> <p>This includes searching international datasets in respect of individuals connected to a licence holder or licence applicant for the following :</p> <ul style="list-style-type: none"> <li>• Politically Exposed Person (PEP)</li> <li>• Sanctions</li> <li>• Adverse media coverage</li> <li>• Law enforcement data</li> <li>• Corporate registry data</li> <li>• Global ID&amp;V checks</li> </ul>

## Our legal basis for processing your information

We take our responsibilities under data protection law seriously and aim to ensure that personal data is handled appropriately.

The legal basis for our collecting, holding, using and disclosing personal data is covered by relevant legislation. To summarise the general position:

- We have statutory functions to fulfil as the Island's gambling services regulator.
- We have statutory rights to request information, inspect premises in which gambling is conducted and investigate people carrying on (or suspected of carrying on) gambling activity.

We will only process your personal data if a lawful basis to do so exists. We may rely on:

- The need to meet a legal obligation in carrying out our statutory functions.
- The need to enter into or ensure the performance of a contract to which you are a party.
- The need to meet a request you have made for information or a service.
- The need to prevent or investigate suspected or actual violations of law
- The need to protect the public interest.
- The need to retain information for historical or archiving purposes by the Public Record Office under the Public Records Act 1999. [Click here](#) for more information.

We are designated as a competent authority for the inspection and investigation of criminal matters identified whilst exercising our statutory functions.

Personal data obtained for law enforcement purposes is protected under Isle of Man data protection legislation, however an individual's rights in relation to such personal data are more limited to reflect the fact that the data subject is subject to law enforcement proceedings.

In relating to the processing of criminal conviction data, the processing would be necessary for reasons of substantial public interest, namely the exercise of a function of a Statutory Board.

### **Do we share your personal data with other parties?**

Information we obtain for the purposes of exercising our statutory functions is 'restricted information', which includes both personal data and non-personal data.

Our legislation imposes a number of restrictions on the disclosure of restricted information in order to protect the people to whom that information relates and safeguard our ability to exercise our functions appropriately.

These restrictions are subject to certain exceptions to recognise situations where we may need to share personal data to enable us to exercise our functions appropriately. However, we sometimes need to share information with other bodies under statutory powers known as 'information gateways'. Some examples are shown below. More information is set out in the section 'Who we share your information with'

- With other bodies acting in the public interest in order to exercise our functions effectively or to assist those bodies in carrying out their functions.
- With other authorities or law enforcement agencies to help us (or them) to exercise our (or their) functions appropriately.
- Sometimes we may be required by another body to disclose personal data under relevant legislation or by court order.

Where that is the case, we will take appropriate steps to ensure:

- that your personal data is subject to a similar level of protection in that jurisdiction that it would be in the Isle of Man.
- that the type and amount of personal data we share is relevant and proportionate to the purpose for which it is being shared.
- that the transfer of data will be in accordance with the law.

Equally, personal data we receive from other bodies will be treated in accordance with this Privacy Notice.

## Who we share your information with

In accordance with our statutory functions and powers, we will share your personal data with third parties to help us (or them) to exercise our (or their) functions appropriately.

We will share with and obtain personal data from third parties in the following ways (and for the following reasons): from complainants, other regulatory bodies, witnesses and experts about persons relevant to a regulatory investigation. This may include parties such as:

- Relevant public authorities.
- Gambling regulatory authorities.
- Sports betting integrity units.
- Other regulators.
- Technology providers.
- Law enforcement agencies (including overseas).

We may also share with and obtain personal data from third party organisations when carrying out our regulatory objectives. The main ones are listed below.

- Disclosure and Barring Service.
- Isle of Man Treasury Customs, & Excise Division.
- Financial Intelligence Unit.
- Financial Services Authority.
- Other international gambling regulators.

Any personal data we share in this way is shared in accordance with relevant legislation and is limited to the type and amount of data we believe necessary in order to achieve our objectives.

It may also be necessary to share information for other reasons, such as legislative obligations in relation to:

- The prevention and detection of crime;
- The collection of tax and gaming duty;
- Investigating the proceeds of crime;
- Anti-Money Laundering;
- Countering the financing of terrorism; and
- Proliferation of financing.

## People we are investigating

We may on occasion, use personal data processed during the course of our regulatory objectives to conduct investigations and determine outcomes into the activities of licence holders and the individuals who control or manage them. This will be specifically in relation to the activities relating to the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal or civil penalties as set out in any of the gambling legislation as it applies on the Isle of Man.

Personal data processed in this way will be in accordance with the law and will be limited to the type and amount of data we believe necessary in order to achieve our objectives. We will also comply with our responsibilities in relation to international transfers

The Commission is designated as a competent authority under Schedule 1 of the GDPR and LED Implementing Regulations 2018. We may share your personal data with other public



authorities or law enforcement agencies to help us (or them) to exercise our (or their) functions appropriately, but only where it is lawful and proportionate to do so.

This information may also be relevant to our wider regulatory objectives and statutory functions. We may, for example, derive information from our investigations which help us improve our understanding of the gambling market and assessment of the risks it faces (and potential risks to consumers as a result), and to seek continuous improvements in the market and our regulation of it.

The Commission may also record adverse information obtained during the course of fulfilling its regulatory objectives, in relation to the activities of licence holders and the individuals who control or manage them, in order to safeguard the reputation of the Isle of Man and the international character of gambling, and specifically to preventing gambling from being a source of crime or disorder, associated with crime or disorder, or used to support crime.

We may also act as a prosecutor in relation to certain gambling offences. In this case, the relevant provisions of the Law Enforcement Directive as applied to the Isle of Man, will be engaged.

Personal data obtained for law enforcement purposes is protected under Isle of Man data protection legislation and an individual's rights in relation to such personal data are more limited to reflect the fact that the data subject is subject to law enforcement proceedings.

### **How do we keep your personal information secure?**

The security and confidentiality of your information is very important to us. We will ensure that safeguards are in place to:

- Keep sufficient information to provide services and fulfil our legal responsibilities.
- Keep your records secure and accurate and only permit authorised staff to view your information.
- Only keep information as long as it is required.
- Only the Commission's personnel are able to view your data.

Your data will only be held on servers that are under the control of the Cabinet Office, Government Technology Services (GTS) and within the jurisdiction of the Isle of Man in line with ISO27001 standard - the ISO standard on information security and hold cyber essentials.

Email communications are stored on the Isle of Man Government email system, Microsoft Outlook and are encrypted and protected in line with government standards. If your email service does not support this encryption, you should be aware that any emails we send or receive may not be protected in transit.

We will also monitor any emails sent to us, including file attachments, for viruses or malicious software. Please be aware that you have a responsibility to ensure that any email you send is within the bounds of the law.

The Commission use Microsoft Dynamics CRM to hold personal and business information relevant to our licence holders. Only certain members of staff will have access to your personal information on CRM and there is security in place to ensure this.

Isle of Man Government Secure Network – There are strict access controls in place meaning that only those within the Commission can access information stored in folders on our network; in addition, only the teams within the Divisions who are able to access personal information, are those that have a business need to do so.

The administration of CRM and the secure network is undertaken by GTS under a data processing agreement. They should not access your personal data without the Commission's explicit permission, and only where vital for the administration of the system.

Manual records - We do not routinely store manual records, however, those that are already in storage and a new records we are required to hold any manually are either stored on site or in a third-party storage facility with whom we have a data protection agreements in place.

## Public Consultations

As part of the Gambling Supervision Commission's regulatory responsibilities, it may publish consultations on various topics, seeking the views of the industry, companies, parliamentarians, researchers and the public.

Engagement with a public consultation will be at the discretion of the individual. Wherever possible, we will not require personal information from an individual in order to take part in the consultation.

Responses will be considered for the purpose of informing the development of our policy, guidance and other regulatory work in the subject area of the consultation. If contact details are provided, we may use these to monitor responses or contact you in relation to the consultation.

We may publish a summary of the consultation responses, but these will not contain any personal data. If we decide to publish your name (and on whose behalf you have responded) to indicate that you have responded to this consultation, we will only ever do this with your consent.

It is in our legitimate interests to seek the views of licence holders and the wider public to help form our views. Individuals taking part in a consultation do so of their own free will and have the ability to provide their views anonymously or to withdraw their response at any stage. Information on how to do this can be found on the [Consultation Hub website](#) or by contacting the Commission's Data Protection Officer at [DPO-GSC@gov.im](mailto:DPO-GSC@gov.im)

The Cabinet Office of the Isle of Man Government run the Consultation Hub. More information on the use of the Consultation Hub, can be found on the [Cabinet Office's privacy notice](#).

## How long do we keep your personal data?

Whilst we will only keep your information for the minimum time necessary, our general approach is to retain personal information relevant to the operation of a corporate entity licenced by the Commission for a period of six years following the date the relationship with the Commission formally ended. Other personal data collected to during the course of our regulatory activities may be deleted sooner, once the need for processing that data has concluded.

This may be to:

- Comply with our statutory function and legal obligations.
- Inform our regulatory work in accordance with these objectives - including investigations and enforcement.
- Conduct research/ collate statistics for publication and/or for the purposes of formulation of policy.

Personal information relevant to the checking of the fitness and propriety of a person to be approved by the Commission will be retained for the minimum period necessary in making that determination.

Records are only retained for longer term periods if their retention can be justified for statutory, regulatory, and legal or security reasons or for their historic value.

## What rights do you have over your personal data?

Articles 12 to 22 of the Data Protection (Application of GDPR) Order 2018 set out the rights you have as a data subject.

These rights are subject to the restrictions set out in Article 23.

### **Your right to be informed**

This Privacy Notice explains how we collect and process your personal data.

### **Your right of access**

You have the right to access and obtain a copy of your data and certain processing information on request.

### **Your right to rectification**

You have the right to ask us to rectify personal information you think is inaccurate. You also have the right to ask us to complete information you think is incomplete.

### **Your right to erasure**

You have the right to ask us to delete your data in certain circumstances. For example:

- Where the data is no longer needed for the purposes it was collected.
- You object to processing and there are no overriding legitimate grounds to continue.
- Where the data has been unlawfully processed or where the data has to be erased for compliance with a legal obligation.

Personal data will be retained under our legal obligation to carry out our statutory functions, for a period as defined within our Records Retention Schedule.

### **Your right to restriction of processing**

You have the right to ask us to restrict the processing of your personal information in certain circumstances. For example:

- The accuracy of the data is contested – for a period necessary to allow us to verify its accuracy;
- The processing is unlawful and you request restriction instead of erasure; or
- We no longer need the data for the purposes it was collected, but you need it in connection with a legal claim.

The right to restrict processing is subject to our legal obligation to carry out our statutory functions.

### **Your right to object to processing**

You have the right to object to the processing of your personal information in certain circumstances. In this case, we will stop processing unless we can demonstrate compelling legitimate grounds for continuing the processing, which override your interests.

This only applies in certain circumstances and will therefore depend on the purpose and lawful basis for processing. As most of our processing is conducted in order for us to comply with a legal obligation and/or perform a public task, this right will not be available in most circumstances.

### **Your rights related to automated decision making including profiling**

We do not currently carry out any automated decision making.

### **Your right to data portability**

To receive personal data you have provided to us in a structured, commonly used and machine readable format where it is processed by automated means. You may also request that we transmit this data to another controller. The right to data portability is not applicable for personal data processed where the lawful basis for this processing is necessary for us to perform a task in the public interest or for our official functions.

### **Exercising your rights**

If you would like to exercise any of these rights, please contact our Data Protection Officer.

You are not required to pay any charge for exercising your rights. If you make a request, we have one month to respond to you.

### **What happens if your personal data changes?**

Following notification of a change to your personal data, we will ensure that our records are updated. Notification of a change will require your identity to be verified to ensure your personal data is kept secure.

## How to contact us

If you have any questions about how we process your personal information, you can speak to our Data Protection Officer regarding your rights.

<b>By email</b>	<a href="mailto:DPO-GSC@gov.im">DPO-GSC@gov.im</a>
<b>By telephone</b>	+44 (0)1624 698322
<b>In writing</b>	Data Protection Officer Gambling Supervision Commission Ground Floor, St George's Court, Myrtle Street, Douglas, Isle of Man, IM1 1ED

## How to make a complaint

If you have any concerns about how we collect or process your data, you can write to our Data Protection Officer using the address above or by email to [DPO-GSC@gov.im](mailto:DPO-GSC@gov.im).

You also have the right to request the Isle of Man's Information Commissioner to undertake an assessment as to whether the processing of your personal data has been carried out in accordance with the provisions of the Isle of Man Data Protection Legislation.

Further information regarding complaints to the ICO can be obtained through its website or by calling +44 1624 693260. Their website is [www.inforights.im](http://www.inforights.im)

## Changes to this privacy notice

This privacy notice may change. If any significant change is made to this privacy notice we will provide a prominent notice on this website so that you can review the updated privacy notice.

## Changes to this Privacy Notice

If any significant changes are made, we will provide a prominent notice on our website so that you can review the updated policies.

Version	Date	Notes
1.0	22 July 2020	Creation of the privacy notice
1.1	10 January 2021	Alterations to format & content
1.2	18 November 2021	Addition of contents table
2.0	29 March 2022	Changes to format and layout
3.0	27 July 2023	Changes to branding & content changes
4.0	20 February 2024	Creation of the privacy notice in document format & changes to content including the separation of certain key information into standalone privacy notices