



Tuvalu

TUVALU GAMING AUTHORITY ACT

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GAMING AUTHORITY ACT

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Tuvalu

GAMING AUTHORITY ACT

An Act to Establish the Tuvalu Gaming Authority and Regulate Online Gaming

1. Short Title and Commencement

This Act may be cited as the Tuvalu Gaming Authority Act, 2023, and shall come into force on the date prescribed by the Minister through publication in the Government Gazette.

2. Interpretation

In this Act, unless the context otherwise requires—

- (a) "**Authority**" means the Tuvalu Gaming Authority established under this Act;
- (b) "**Minister**" means the Minister responsible for gaming regulations in Tuvalu;
- (c) "**Online Gaming License**" means a license issued under this Act permitting an operator to conduct online gaming activities;
- (d) "**Operator**" means any individual, corporation, or entity that offers online gaming services;
- (e) "**Player**" means any individual participating in online gaming activities through a licensed operator;
- (f) "**Regulations**" mean rules and guidelines prescribed by the Authority for the governance of online gaming;
- (g) "**Responsible Gaming Measures**" refer to policies and practices aimed at preventing gambling addiction and protecting vulnerable individuals.

PART II - ESTABLISHMENT OF THE TUVALU GAMING AUTHORITY

3. Establishment of the Authority

The Tuvalu Gaming Authority is hereby established as an autonomous regulatory body responsible for the enforcement of this Act. The Authority shall have perpetual succession and a common seal.

4. Functions and Powers of the Authority

The Authority shall be responsible for:

- (a) Issuing, renewing, suspending, or revoking Online Gaming Licenses;
- (b) Monitoring and regulating online gaming operators to ensure compliance with this Act;
- (c) Conducting audits and inspections of online gaming operators;
- (d) Enforcing compliance and imposing penalties for violations of this Act;
- (e) Ensuring consumer protection and responsible gaming measures;
- (f) Establishing and maintaining a registry of licensed operators;
- (g) Investigating complaints and disputes arising from online gaming activities;
- (h) Collaborating with international gaming regulators and enforcement agencies as necessary;
- (i) Conducting research and reporting on the impact of online gaming within Tuvalu.

5. Governance of the Authority

The Authority shall be governed by a Board of Directors, appointed by the Minister, consisting of:

- (a) A Chairperson;
- (b) A representative from the Ministry of Finance;
- (c) A representative from the Ministry of Justice;

6. Executive Management

- (1) The Authority shall appoint an Executive Director responsible for the day-to-day operations.(2) The Executive Director shall have experience in gaming regulation, finance, or law.(3) The Executive Director shall report to the Board and ensure compliance with all legal and regulatory requirements.

PART III - LICENSING AND REGULATORY FRAMEWORK

7. Licensing Requirements

No person shall operate an online gaming platform in Tuvalu without obtaining an Online Gaming License from the Authority.

8. Application for an Online Gaming License

An application for an Online Gaming License shall be made to the Authority in the prescribed manner and accompanied by the required documentation and fees.

9. Authorization and Renewal of Licenses

The Tuvalu Gaming Authority is exclusively authorized to issue Online Gaming Licenses to qualified operators.

10. Revocation or Suspension of Licenses

The Authority may suspend or revoke an Online Gaming License if the operator:

- (a) Violates any provision of this Act;
- (b) Engages in fraudulent or deceptive practices;
- (c) Fails to maintain financial solvency or operational integrity;
- (d) Poses a risk to public interest or national security.

PART IV - ENFORCEMENT AND COMPLIANCE

11. Audits and Inspections

The Authority shall have the power to conduct regular and unannounced audits and inspections of licensed operators.

12. Penalties for Non-Compliance

Any operator found in violation of this Act shall be subject to penalties, including fines, license suspension, or revocation.

PART V - MISCELLANEOUS PROVISIONS

13. Confidentiality and Data Protection

The Authority shall ensure the confidentiality of players' personal and financial information.

14. Dispute Resolution Mechanism

The Authority shall establish a dispute resolution framework to address complaints by players and operators.

15. Regulations and Amendments

The Authority will issue regulations for the better implementation of this Act.

16. Repeal and Savings

Any law inconsistent with this Act is hereby repealed to the extent of the inconsistency.