Guidance for Surrendering an Online Gambling Licence

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Ground Floor, St George's Court | Myrtle Street, Douglas | Isle of Man, IM1 1ED

+44 (0)1624 694331 GSCAMLInspections@gov.im

www.isleofmangsc.com

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STATUS OF GUIDANCE

The Isle of Man Gambling Supervision Commission ("the Commission") issues guidance for various purposes, including to illustrate best practice, to assist regulated entities to comply with relevant legislation and to provide example of illustrations. Guidance is, by nature, not law, however it is persuasive. Where a person follows guidance, this would tend to indicate compliance with the legislative provisions and vice versa.

Who This Guidance Applies To

This guidance applies to businesses that are operating under an online gambling licence issued by the Gambling Supervision Commission ("the Commission") and wish to formally bring their Isle of Man licensed activities to an end ('licence surrender').

It covers all categories of licence issued under the Online Gambling Regulation Act 2001 ("OGRA").

Contacting the Commission

If a licence holder is considering surrendering its licence or wishes to discuss the requirements before submitting a notice, it is encouraged to contact the Commission's Supervision Team, which will be happy to discuss the process and help ensure a smooth transition.

Telephone: +44 (0) 1624 694324

Email: GSCgeneralsupervision@gov.im

Purpose of the Guidance

This guidance explains the steps that holders of an OGRA licence must follow when requesting the surrender of their licence and sets out the ongoing obligations that apply after surrender, including the requirement to retain specified information for a defined period once the surrender has taken effect.

It also summarises what should be submitted, how the surrender process works, and the factors the Commission will consider before permitting a request to surrender an online gambling licence.

This process ensures that regulatory obligations, and customer protection matters are properly finalised before a licence is brought to an end.

Section 7 of-OGRA provides that a surrender only takes effect once the Commission is satisfied that it has received all the information it requires and has determined any necessary steps, conditions. The information required will be applied proportionately, taking account of the category of licence, business model, scale and complexity of the operation, whether player funds are held, and the risks arising from the proposed wind-down. Once satisfied, the Commission may then set a date from which the licence surrender will take effect.

Submitting a Valid Surrender Notice

A licence holder wishing to voluntarily surrender their licence must submit a valid notice in writing to the Commission.

To be valid, a surrender notice must contain sufficient information to enable the Commission to assess the request under section 7 of OGRA. This may include (but is not

limited to):

- A signed statement confirming the intention to surrender, signed by two directors, one of whom must be the Designated Official.
- The specific reason/s for surrendering the licence.
- The proposed date the surrender should take effect, which should be a minimum of 30 business days
- A plan explaining how the licence holder will wind down its Isle of Man operations, which should include at a minimum:
    - A timeline of the intended winding down of operations.
    - Identification of any dependencies that could delay surrender.
    - Mitigation plan for anything that may create a customer or regulatory impact.
    - Contingency arrangements as to how the business will be managed if the wind-down takes longer than indicated.
    - Information about how any player funds held in player accounts will be settled (if applicable).
    - Details of how the licence holder intended to manage any existing remediation plans.
    - Arrangement for the closure of any servers.
    - Details of any unresolved complaints made against the licence holder and the plan to resolve them before surrender.
    - Intentions for the of termination/transition of relevant B2B arrangements.
    - Key staff responsible during the wind-down period and their contact details.
- Copies of proposed customer communications explaining the change or cessation of services.
- Retention plan for records required in the table along with details of how the Commission will be able to access the information.
- Submission of any outstanding returns, including AML and General Quarterly Returns, the Annual STRIX return, annual audited financial statements and other submissions required by licence conditions.

Applicable reporting obligations continue until the surrender takes effect. The Commission will confirm, having regard to the circumstances of the surrender, the final reporting periods and submission deadlines for any returns or other submissions required to cover the period up to the effective date of surrender, including any partial reporting period.

Depending on the licence holder's circumstances, the Commission may also require additional information it reasonably considers necessary.

The Commission will ordinarily confirm within 5 working days of receipt of the surrender notice whether it has all of the information it requires in order to consider the licence surrender.

Where information is missing, or the Commission determines that further information is required, the Commission will specify the further information it requires. The Commission

must be in possession of all of the information it reasonably requires before it can consider giving effect to the licence surrender.

Confirmation that the Commission has the information it requires does not confirm or approve the proposed surrender date. The licence remains in force until the consideration of the surrender request is complete and the Commission separately confirms the date on which the surrender will take effect.

Consideration of Surrender Request

Once the Commission has the information it requires, it will consider the surrender request and write to confirm either:

- the date on which the surrender will take effect; or
- any steps and/or conditions that must be met before an effective surrender date can be confirmed.

The surrender period

This section sets out the steps the Commission will ordinarily require a licence holder to complete during the period between receipt of notification of an intention to surrender and the effective date of surrender.

Under section 7(2A)(b)(i) of OGRA, the Commission may determine the steps that a licence holder must take before it will permit the surrender. The steps required will depend on the circumstances of the surrender and will be confirmed to the licence holder in writing.
Where applicable, the licence holder will be required to:

- Continue to act in a controlled and compliant manner, ensuring that regulatory obligations and customer protections are maintained.
- Take ongoing and increasing steps to identify and contact players with remaining balances, with the aim of repatriating funds as soon as possible.
    - Evidence of player balances and the steps taken to return funds should be provided to the Commission on a weekly basis, unless otherwise agreed.
- Provide regular updates on the status of any outstanding complaints, including progress towards resolution.
- Notify the Commission without delay of any issues, risks or delays that may impact the proposed surrender date or the ability to meet regulatory obligations.
- Provide updates where there are material changes to the information submitted as part of the surrender notice, including any changes to the wind-down plan, timelines or dependencies.

The Commission may use its statutory powers, including the issuing of directions under section 15A(2)(d) of OGRA, to ensure that appropriate steps are taken during the surrender period, including where necessary to secure the orderly discontinuation and wind-down of the business.

For the avoidance of doubt, all fees and other amounts payable in respect of the licence

remain due until the surrender takes effect. Giving notice of an intention to surrender does not suspend or remove those obligations.

Failure to complete a required step may delay the surrender or prevent it from taking effect on the proposed date. The licence remains in force until the Commission confirms that the surrender has taken effect.

Changes to the Surrender Date

The Commission may amend the proposed or previously determined surrender date where it considers this necessary to ensure that all regulatory requirements, customer protections and outstanding matters are appropriately addressed.

This may include circumstances where:

- additional information is required;
- required steps or conditions have not been completed;
- new risks or issues emerge during the surrender period.

The Commission will notify the licence holder in writing of any change to the surrender date and will provide the reasons for that decision.

When the Surrender Takes Effect

A licence surrender will only take effect once the Commission is satisfied that it has received the information it requires and that any steps and conditions determined under section 7 of OGRA have been completed.

The surrender will take effect on:

- the date determined by the Commission; or
- where the Commission has instead determined steps that must be completed , the day after the Commission confirms that all required steps have been completed and conditions complied with,

whichever is later.

Until that date, the licence remains in force and the licence holder must continue to comply with all applicable regulatory obligations.

Exceptional Circumstances

Under section 7(2E) Of OGRA, the Commission may, in exceptional circumstances, the Commission may permit surrender of a licence despite not having received the information it requires under section 7(2A) of OGRA. This discretion will only be exercised where it is considered necessary and proportionate having regard to the specific circumstances of the case and any potential risks to customers or the wider public interest.

Examples include:

- Corporate insolvency or a formal winding up process where the licence holder is no longer able to provide the required information.
- Situations where obtaining the usual information is not reasonably possible.
- Circumstances where delaying a surrender would create or increase risks to

customers or the public interest.

After Surrender

Surrender does not affect any liability for anything done or omitted before the licence ceases to have effect. The Commission may impose conditions that continue after surrender. A condition concerning the retention of information may continue for a specified period up to five years. Other continuing conditions may apply for up to two years.

Record Retention - After Surrender

Following surrender, licence holders are expected to retain specified records for defined periods and ensure that such records remain accessible to the Commission where required.

RELEVANT RECORDS		RETENTION PERIOD
1.	Any AML/CFT information which has not previously been submitted to the Commission.	In line with the retention periods of that information, as specified in paragraph 17 of the Gambling (AML & CFT) Code 2019
2.	Details of any business partner held within 1 year of the notice to surrender a licence, including in relation to that business partner: • due diligence held. • details of any contracts held. • details of any service level agreements held. • risk assessments. • account payments. • ongoing monitoring activities.	5 years from the date of effective licence surrender*
3.	Customer details held during the 1 year period immediately before the notice to surrender was submitted: • name and surname. • player ID. • email address. • residential address. • country of residence. • date of birth. • currency type. • cashable balance. • amount of funds in play. • amount of pending payouts.	5 years from the date of effective licence surrender*

*The Commission may also direct the former licence holder to retain additional records for specific periods.

The Commission may request that access to any retained information be given during the specified retention period.

Right of Appeal

A licence holder may appeal under section 7 of the Gambling (Amendment) Act 2006 against:

(a) a requirement or determination under subsection (2A)(b)(ii); or

(b) a condition imposed under subsection (2B) or the period for which it must continue.

(c) a direction issued by the Commission under section 15A of OGRA.

Version Control

Version	Date published	Comments
1.0	16/12/2026	1st issuance of guidance