

ISLE OF MAN GAMBLING SUPERVISION COMMISSION

Guidance
Integrity Controls – Cannabis Licensing

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Glossary

A licence	A medicinal cannabis licence in accordance with the GSC's cannabis licensing frame work
A licence holder	A corporate body approved by the Commission for a medicinal cannabis licence
Application	Application for a new, amendment or renewal of licence.
Approved role	Roles which require formal approval by the Commission
CDPR's	Misuse of Drugs (Cannabis Licences) (Data Processing) Regulations 2022
CR's	Misuse of Drugs (Cannabis) Regulations 2020
CRM	Customer Relationship Management system
C&E	Customs and Excise
DD	Due Diligence – investigations carried out before entering into a business relationship
DHSC	Department of Health and Social Care
F&P	Fitness and Propriety
GSA	Gambling Supervision Act 2010
GSC	The Gambling Supervision Commission
Integrity	For the purpose of this document the term 'integrity' is referring to F&P.
MDA	Misuse of Drugs Act 1976
PDF	Personal Declaration Form
The Commission	Is the Commission of the GSC
The Company	The company applying for or renewing a medicinal cannabis licence
The Convention	UN Single Narcotics Convention
ToFO	Transfer of Functions Order (Cannabis) Order 2020

Section 1

The Gambling Supervision Commission (GSC)

The GSC is an independent statutory board established in 1962 and comprises the Inspectorate and the Commission. The Inspectorate is made up of a team of Inspectors who manage a portfolio of licence holders. The Inspectorate is managed by the Chief Executive.

The Commission comprises of no less than five independent members of the public which have been appointed by the Isle of Man Treasury. The Commission sits once a month to consider regulatory matters and to consider licence applications, variations and transfers.

In December 2020, the Transfer of Functions Order (Cannabis) Order 2020 was approved by Tynwald. This order transferred certain functions from the Department of Health and Social Care to the GSC – these functions can be found in Schedule 1 column 1 of the same.

In January 2021, Tynwald approved the Misuse of Drugs (Cannabis) Regulations 2020. These regulations specify the licence framework and applicable licence fees.

In June 2022, Tynwald approved the Misuse of Drugs (Cannabis Licences) (Data Processing) Regulations 2022. These regulations specify the processing operations and procedure obligations of the GSC.

Introduction

This guidance document is issued by the GSC to set out the criteria that normally applies when considering the integrity, competence, fitness and propriety of persons who hold or are applying to hold a key role in a company approved by the Commission for a licence under the GSC's medicinal cannabis licensing frame work. It should be read in conjunction with the applicable guidance notes for making an application for that particular licence. For the purpose of this document the term 'integrity' is F&P.

This guidance also provides information on the GSC's expectations and processes involved in applying for, amending or renewing a medicinal cannabis licence.

The GSC issues guidance for different licence types under its remit. Guidance is not law, however where a person follows guidance, this would tend to indicate compliance with legislative provisions.

- The information required or requested will vary dependant on the person's role within the Company and the type of licence being applied for;
- Not all of the data sets outlined within this guidance document will be relevant in all cases;

- The GSC may request further information in order to satisfy its obligations under CDPR's section 4(1)(d)(iv).

The GSC understands its responsibility to comply with Isle of Man data protection legislation and processes personal information within the boundaries of GDPR.

The GSC ensures that processing is fair; only processes what is required for it to satisfy its legal obligations; and is transparent to data subjects in explaining the purpose for its processing.

All applications for a licence will require supporting information. This guidance is designed to explain the purpose of the information requested, what it is used for and whether it is shared with third-parties.

Further information regarding the processing activities of the GSC can be found within the [Privacy Notice](#).

Section 2

Objectives of the GSC and legal obligations

The regulatory objectives of the GSC in relation to the Commission's transferred functions, specified within Section 5(2A) of the GSA are notably to:

- Prevent the misuse of cannabinol, cannabinol derivatives, cannabis or cannabis resin.

The legal obligations of the Commission are notably to:

- Section 4 of the CR, specifies the issuance of a licence to produce, supply and offer to supply a medicinal cannabis product;
- Section 4(2) of the CDPR's, the Commission is responsible for the assessing an application to determine whether is granting or renewal is appropriate;
- Whilst assessing an application, the GSC is required to make due diligence enquiries, subject to schedule 2 and F&P enquiries subject to schedule 3; and
- Section 4(3) of the CDPR's, specifies that if the Commission is unable to make satisfactory conclusions from the F&P requirements in schedule 3, it may refuse to grant a licence or permit a person to be associated with a licence.

Section 3

Integrity

What does the GSC mean by F&P, integrity and competence?

Table 1 below specifies the term used, the meaning and the legal reference in the CDPR's.

Table 1 - Terminology

Term	Meaning	Legal reference
Due diligence	The Commission will make due diligence enquiries for all key persons associated with the application for a medicinal cannabis licence; and All persons who become associated with a medicinal cannabis licence. Due diligence investigations are for the purpose of confirming the integrity of a person.	Section 3 'due diligence' – (a)
Integrity	The Commission will make due diligence investigations to confirm the integrity of a person	Section 3 'due diligence' – (a)
Competence	The competence of a person to partake in the regulated medicinal cannabis sector	Section 3 'due diligence' – (b)

Why does the GSC consider the integrity of individuals?

Regulatory legislation requires persons holding key roles associated with a licence holder to be of integrity and competence. The GSC has an obligation to satisfy this legal obligation and will make F&P investigations to do this. This is specified in the CDPR's section 3, interpretation of 'due diligence' – as detailed above in table 1.

Who do integrity considerations apply to?

Integrity investigations apply to all key person applying for roles specified in section 3 of the CDPR's, detailed for ease in table 3 above.

What are the implications of not being a person of integrity?

Where a person is applying to the Commission for an approved role, the Commission may refuse the appointment if they are not satisfied as to the person's integrity. This is specified in section 4(2) & (3) of the CDPR's.

Section 4

Approved roles

Individuals in a role detailed in table 2 below are defined as 'key persons' in the CDPRs section 3. All key persons associated with the applicant company are required to provide certain information to allow the GSC to consider their integrity by performing DD investigations.

These investigations are performed to confirm the integrity and competence of a person. These are further detailed in section 3 and schedules 2 and 3 of the CDPR's.

If the Commission is unable to obtain satisfactory conclusions from the DD investigations, it may refuse to permit a person to be associated with a licence as specified in CDPR's section 3(3)(e).

Once the commission is satisfied, the person is approved in that role. Key person roles are known as 'approved roles'.

Table 2 below details the key person roles and description. All references to legislation are in relation to the CDPR's:

Table 2 – Key Persons

Approved role	Description	Lawful basis
Responsible Person	Person named on a medicinal cannabis licence listed in schedule 2	Section 3 interpretation 'Key Person' – (a) Responsible Person
Authorised Witness	A person authorised by the Commission to attest to the destruction	

Person in Charge	A person nominated by the Responsible Person to control the business	Section 3 interpretation 'Key Person' – (b)(ii) Responsible Person
Person responsible for legal compliance	A person nominated by the Responsible Person to control the business	Section 3 interpretation 'Key Person' - (b)(i) Responsible Person
Company Director	A Director of a company, including non-executive	Section 3 interpretation 'Key Person' – (c)
Shareholder with more than or equal to 5% (private company)	Shareholders with more than 5% who acquire voting rights and qualify for dividends	Section 3 interpretation 'Key Person' – (d)(i)
Shareholder with more than or equal to 20% (public company)	Shareholders with more than 20% of a public companies shares. Or concert party holding the same in aggregate	Section 3 interpretation 'Key Person' – (d)(ii)
Investor	Investors in the business, regardless of any rewards – any person contributing money to a licence other than a customer	Section 3 interpretation 'Key Person' – (d)(iii)&(v)
Trustee (arrangement that confers ownership or financial privilege)	All trustees in an arrangement that confer ownership of, or financial privileges arising from the licence	Section 3 interpretation 'Key Person' – (d)(iv)
Beneficiary	Any person receiving money and befitting from the licence other than a customer or salaried person	Section 3 interpretation 'Key Person' – (d)(v)

Section 5

Non-Approved roles

Individuals in a role detailed in table 3 below are defined as 'key persons' in the CDPRs section 3. All key persons associated with the applicant company are required to provide certain information to allow the GSC to consider their integrity.

These roles do not require Commission approval and are considered to be lower in risk. The supporting information required is details below in table 3.

Table 3 – Non-Approved roles

Non-Approved role	Lawful basis	DD requirement
Investor – regardless of reward	Section 3 interpretation 'Key Person' – (d)(iii)	Photographic ID
		Verification of address
		Declaration of source of funds
		Declaration of source of wealth

The applicant will be required to declare that invested funds are not from an activity that is illegal in the IOM. Funds derived from an activity unlawful on the IOM and used by the IOM licence holder to finance business, would constitute an offence under the IOM Proceeds of Crime Act 2008.

Section 5

Applying for a cannabis licence

The MDA section 3(1) specifies that the import and export of a controlled drug, in this instance cannabis, is prohibited. Unless by section 3(2) the import and export is approved by a licence issued by the Commission under section 4 of the CDPR's.

The Commission has a legal obligation, specified in section 4 and schedule 3 of the CDPR's, to make F&P considerations of all key persons associated with a licence. To enable the GSC to satisfy this requirement, the applicant company will be required to complete a company application form for the chosen licence.

Applications for a licence and the Ultimate Parent Company

In order to commence the application process, the applicant company is required to complete an Applicant Company application form and if applicable, a Details of the Ultimate Parent Company form.

The Applicant Company form requires details of all company shareholders with more than 5% and all investors – as per section 3 of the CDPR's a shareholder with more than 5% are classed as a Key Person.

Under the same section 3, the GSC is required to know about any person having direct or indirect financial interest in the licence. Therefore the Ultimate Parent Company form requires details of the company officers with interests and requires their name and description of role. The GSC will consider what the interest amounts to, and if considered to be material, the Officer will be required to complete a PDF.

Renewal of a licence

All medicinal cannabis licences issued by the Commission will remain valid for 1 year. After the 1 year period, the applicant company is required to submit a renewal application.

Further information regarding licences and yearly fees can be found in the CR's schedule 3.

Application forms

Further details of application forms can be found on the GSC [website](#).

Nominated contact person

The Applicant Company and Ultimate Parent Company forms (which are used for application and renewal), request the details of the 'nominated contact person'. The majority of applications for licenses are received on behalf of a company by an agent. Therefore the GSC will request information regarding the nominated contact person, including the name, address, email address and or contact telephone number of the individual.

This information is recorded on the GSC CRM system 'Atlas' and is used so that the GSC may liaise with the Company during the approval and renewal processes, and during the ongoing supervision of the licence holder, unless the GSC is informed of an alternative contact person by the Company.

Section 6

Fitness and propriety

During the assessment of an application for a licence, by the Commission, there is an obligation to investigate the below:

- The integrity of a person;
- The competence of a person to participate in the medicinal cannabis sector;
- The means by which a person owns or controls a licence holder; and
- The financial standing of a person.

In order to do this, the GSC will require certain information. This information is used by the GSC to undertake its investigations in order to consider the integrity of the person.

The information requested is collected on a PDF which only collects proportionate information required for the Commission to satisfy its obligations.

Table 3 below details the due diligence requirements to accompany the PDF and the lawful basis. *Please note that all references to lawful basis are prescribed in the CDPR's.*

Table 3 – Due diligence requirement

Form	Due diligence requirements	Purpose	Lawful basis
PDF	Photographic ID	Verify identity of the person	Section 4(1)(e)(v)
	Verification address	Verify identity of the person	Section 4(1)(e)(iv)
	CV and employment history	To determine the competence of the applicant person	Section 4(1)(e)(ix)
	DBS certificate	To consider previous convictions relevant to the gambling sector or otherwise as the GSC may determine	Section 4(1)(e)(vii) Schedule 3

	Third-party open source	Open-source adverse media searches	Corroboration of information provided
	FIU	Information which may be relevant to the assessment of the application	Section 5 Schedule 3

Section 7

Information requested during consideration of integrity and F&P

The following section provides information regarding the data requested within the aforementioned GSC forms, together with the lawful basis and purpose for doing so and what the information is used for.

Some of the investigations undertaken by the GSC may require your personal information to be shared with third-party agencies. Further information on third party agencies can be found in the third-party agencies section of this document.

Nominated contact person

Applications can be made by an agent on behalf of the applicant. In this case the GSC will require the contact details of the nominated contact for use during the duration of the relationship.

The GSC will retain this information for the duration of the licence in accordance with GSC's Retention and Destruction policy, unless the GSC is informed of an alternative contact person by the Company during that time. Further information on the GSC's Retention and Destruction policy can be found in the data protection section of this guidance.

Name, address and contact details (including aliases and previous names)

This information is to assist in the identification, verification and integrity investigation processes undertaken by the GSC and will also allow the GSC to contact the applicant person throughout the relationship.

Gender, place of birth and nationality

The gender of the applicant allows the GSC to address the person appropriately. It may also be used during the identification process, should a bad actor attempt to impersonate the applicant person(s).

Information regarding place of birth and nationality allows the GSC to ensure compliance with any current sanctions.

Current and previous address information

Information regarding a person's address is used during the integrity investigation process. It also allows the GSC to ensure compliance with any current sanctions.

Previous conviction information

This information is requested so that the Commission may be satisfied as to the integrity of all persons associated with a medicinal cannabis license, in accordance with schedule 3 CDPR's. Section 4 of the same also requires the Commission to be aware if a person is being or has been prosecuted.

The applicant person must provide a DBS certificate or similar police check from their country of residence to accompany their application. Further information on the process of DBS certificates can be located in the DBS section of this guidance document.

Companies licensed by the GSC are noted as regulated occupations under Schedule 1 Part 3(2) the Rehabilitation of Offenders Act 2001 (Exceptions) Order 2018. The GSC will therefore request information regarding spent convictions for the purpose of satisfying its legal obligation to be satisfied that the licence holder is under the control and management of persons of integrity.

The GSC will always consider the honesty of the applicant when investigating the integrity of the person or entity. Declaring a conviction or offence is not an automatic bar to licensing; all matters are assessed individually with consideration given to risk, the nature of the Company and the role to be approved. There is an exception when the conviction or offence is related to drugs; there are requirements under the Convention to which the GSC must comply with. For matters relating to previous convictions for drug offences, please contact the GSC.

If an applicant declares a conviction, whether spent or not, the GSC will require further information in a separate communication. It is likely that an overview of the circumstances will be required for the GSC to consider if this is relevant to the application.

If considered relevant, information regarding the conviction will be retained on the persons file on the GSC secure network

The PDF also provides an opportunity for applicant persons to provide information regarding pending prosecutions and investigations, barring or disqualification by a professional body or industry regulators. If an applicant would like to discuss this further, please contact the GSC.

If the Commission requires further information to be provided relating to convictions, this will only be used for the purpose it was originally collected for. The GSC retains this information for the life time of the licence plus 6 years. Further information on the GSC's Retention and Destruction policy can be found in the data protection section of this guidance.

Financial circumstances (general and personal)

The Commission has an obligation to investigate the character and financial status of any key person applying for or holding a licence or otherwise associated with the licence. In accordance with the due diligence requirements specified in the CDPR schedule 3.

To satisfy this obligation, the GSC will request certain information from each applicant, such as:

- Details of bankruptcy, liquidation, receivership, insolvency;
- Agreements with creditors or defaults of mortgage, loan, credit or store cards;
- Details of Individual Voluntary Agreements;
- County Court Judgements; and
- Penalty or enforcement action by any government agency.

These questions will be inclusive of any jurisdiction and not exclusively the Isle of Man. The GSC may request further information as required in order to satisfy the Commission in accordance with CDPR's section 4(1)(d)(iv).

Declaring matters is not an automatic bar to licensing, all matters are assessed on a case-by-case basis with consideration to risk, the nature of the Company and the role to be approved.

If a matter is declared the Commission will require further information from you in separate communication. It is likely that an overview of the circumstances will be required for the Commission to consider whether the declaration is relevant to the application. If considered relevant, details will be retained on the GSC secure network.

If the Commission requires documents to be provided which contain personal banking information, this will only be used by the GSC for the purpose it was originally collected for. The Commission will retain this information for the life time of the licence plus 6 years. Further information on the GSC's Retention and Destruction policy can be found in data protection section of this guidance.

Curriculum vitae

Each applicant's CV will be reviewed to allow the GSC to consider competence for the applied role. There are many variables of determining competence, not simply having experience in the gambling sector. The information provided will only be used during the application process and will not be used or recorded for any other purpose.

If during consideration of competence the GSC requires further information, such as confirmation of professional subscription, this will be requested separately and will be proportionate to the nature of the role and the licence type being considered.

Section 8

Third-party agencies

In order to satisfy its legal obligations, the GSC is required to conduct investigations that it does not conduct itself as part of its normal business, and as such will utilise the services of third-party agencies.

The agencies referred to below will each provide a service within the GSC's due diligence strategy. The third-party agencies that the GSC engages with are:

The Disclosure and Barring Service (DBS)

DBS checks are commonly referred to as a 'criminal record check'. They are carried out to assist the GSC to make safe on-boarding decisions in order to satisfy its requirements under CDPR's schedule 3. The GSC requires that approved roles be accompanied by a DBS certificate during the licensing and application process, and at certain times during the lifecycle of the licence, such as:

- Licence application;
- Application of an approved role; and
- Licence renewal.

The GSC will never retain an original or copy of a DBS certificate; it will be used to confirm whether a DBS certificate confirms either a 'trace' or 'no trace' and will be recorded as such on the GSC's Atlas system.

If considered relevant, details of the conviction will be recorded on the persons file and is held securely on the Isle of Man Government network. If not considered relevant to the application or the role, no record of the conviction will be made.

The GSC does not request the original certificate, however if this is received, the relevant information will be recorded and the original certificate will be returned to the applicant person. At no point is a copy of the certificate saved or shared. Whilst awaiting to be returned the certificate will be stored in the GSC locked and secured cabinet with access restricted to the Operations Support Team

Risk management databases

During the on-boarding process, the GSC will undertake due diligence investigations in order to satisfy its obligation. During these investigations the GSC uses reputable

third-party risk management database providers in order to satisfy these obligations, such as:

Provider	Purpose
World Check	Provides a 'check' against a database of Politically Exposed Person's (PEP) and heightened risk individuals.
KYC6	Provides a service for document verification, open source adverse media searches and on-going monitoring.
LexisNexis	Provides open source adverse media searches.
Document Checker	Provides a database to review document authenticity.

Each of the providers detailed above help the GSC to identify and manage risk. The GSC maintains up-to-date data sharing agreements with each of these agencies.

Further information regarding the relative data-sharing agreements can be requested by contacting the GSC Data Protection Officer – please see the data protection section of this guidance document for the necessary contact details.

The Isle of Man Financial Intelligence Unit (FIU)

The FIU is part of the Egmont Group of FIU's. It is responsible for protecting the Isle of Man's financial system and contributes to the administration of justice through its expertise in detecting crime, countering money laundering and financing of terrorism. Upon request, the FIU will provide intelligence to the GSC as part of its obligations under Isle of Man legislation.

During application process and the ongoing supervision of licence holders, the GSC will make enquiries with the FIU whilst undertaking investigations of key persons to confirm the integrity of persons associated with a licence; under:

- CDPR's Section 3, 'key persons' and due diligence'; and
- CDPR's schedule 1 – FIU.

The FIU will respond to the GSC under its direction in the Financial Intelligence Unit Act 2016 Section 19(2)(a) in respect of categories of information which may be sought as a result of applications of the AML/CFT requirements to a person carrying on regulated business.

Isle of Man Customs and Excise

During the application process and ongoing supervision of licence holders, the GSC will make enquiries with the IOM C&E when considering the integrity of the person associated with the licence.

The GSC undertakes these enquiries to ensure that no import or export concerns or sanctions exist.

Ongoing monitoring

As specified in section 3 of the CDPR's 'cannabis regulatory authority', the GSC will supervise and control the use of medicinal cannabis products for the use in humans.

On-going monitoring forms part of the on-going supervision of key persons associated with a licence. Therefore all persons holding an approved role are entered onto the KYC6 system to allow the GSC to perform ongoing monitoring.

The on-going monitoring system is an external resource operated by KYC6. Further information can be found in the risk management section of this guidance.

Section 9

Causes for concern

The GSC considers integrity investigations as vital for its statutory obligations, not only for individual persons but also the applicant Company or licence holder. These may include investigations as to whether the applicant complies other statutory bodies.

The below list provides examples of matters that will cause concern to the GSC regarding a person's integrity, may cause delay or refusal of an application or could call into question the ownership and control of an applicant or licence holder. This is not an exhaustive list and other matters may also be considered:

- ❖ Withholding information from the GSC;
- ❖ Providing false or misleading information to the GSC;
- ❖ Serious or repeat failings of GSC or equivalent off-Island requirements;
- ❖ Allegation, charge or conviction of a criminal offence;
- ❖ Evidence of association with criminal elements;
- ❖ Criticism made by a court, tribunal or enquiry;
- ❖ Settlements (including voluntary settlements and settlements in lieu of proceedings);

- ❖ Negative information received from law enforcement or other competent authorities;
- ❖ A disqualification or undertaking under the Company Officers Disqualification Act or equivalent off-Island legislation;
- ❖ Disciplinary or expulsion from a professional body or previous employer; and
- ❖ Evidence of engaging in illegal, deceitful, oppressive or improper business practices.

Section 10

Consideration of causes for concern

There are considerable implications of an individual not meeting the integrity considerations. The GSC adopts a balanced approach to its decision making based on a number of factors.

Integrity is demonstrated through an individual's personal and professional conduct, and evidence provided to support their character. In assessing integrity, past actions or conduct that could indicate a lack of integrity, such as those that are dishonest or unethical, will require further consideration.

The GSC will consider identified causes for concern and make a determination regarding a person's integrity. The possible outcomes are that the GSC -

- ❖ is satisfied regarding integrity and appointment may take place/continue;
- ❖ is not satisfied and the appointment may not take place/continue;
- ❖ has some concerns regarding a person's integrity and seeks to mitigate any perceived risk by imposing ongoing and enhanced due diligence measures or by limiting the nature of the appointment.

The following are factors for the GSC's consideration when making an integrity assessment–

1. Honesty and cooperation

The GSC strives for an open and honest relationship with the cannabis sector. Licence holders, applicants and role holder are urged to proactively bring potential matters that may be of concern to the GSC's attention at the earliest opportunity and to cooperate in a timely and honest manner regarding any enquiries. Discovery of matters that were known but not disclosed will be taken seriously.

2. The reliability of the source of information

Information can come from a wide range of sources with varying credibility. The presence of adverse media is viewed neutrally by the GSC. Each point detected by the

GSC will be compared against the declarations that people have made and the GSC will consider all supporting information that an applicant person provides.

The GSC will expect that the applicant or licence holder will have looked for adverse media in anticipation of the application, and have supplied their explanation, including any efforts at correction they have made.

3. The seriousness of the matter

Consideration will be given to whether the information can be categorised as rumour, allegation, charge or conviction (or equivalent for non-criminal matters).

Association with known miscreants is not an automatic bar to licensing, but the relationship must be exonerated i.e. be shown to be incidental to any wrong-doing and formal or informal influence.

Evidence of evasion of justice, where a competent authority has pronounced a sanction and the subject has fled, is highly prejudicial to the GSC in considering that a person is of integrity.

Integrity can also include whether a company pays taxes/duties as is expected, or whether is registered as a bona fide business.

Multiple causes for concern are considered more seriously than a single instance.

4. When the matter occurred

Consideration will be given to the length of time that has elapsed since the matter occurred, including, in relation to criminality, whether a conviction is spent or unspent.

Matters that occurred in a person's youth or in a "previous life", prior to intervention or rehabilitation that caused a changed in that person's outlook, would be less concerning

5. Relevance to the licence holder and/or role

The GSC will consider all relevant circumstances on a case-by-case basis. The nature of any cause for concern and its relevance to the licence or proposed role of the person will also be considered by the GSC as part of its integrity investigations.

For example, a conviction for a driving offence or public order offence would be considered less relevant than a conviction for fraud or a drugs offence. If an applicant has a conviction for drugs they are required to make this known as the GSC has obligations under the Convention.

Individuals must disclose convictions, whether considered spent or unspent within the relevant forms and to the licence application.

All individuals proposed to hold approved or non-approved roles are expected to ensure that the regulated business is conducted with integrity, by their conduct; their involvement in setting policies and procedures; and by providing appropriate supervision and training to others within the regulated activity.

Failure to do so, or failure to be open and honest with the GSC, will be considered relevant to an assessment of an individual's or company's integrity. This includes the failure to complete a form or supply information required in an honest manner, or the deliberate or negligent omission of any relevant information.

Section 11

Decision-making process

Integrity considerations and investigations under the CDPR's are performed by the GSC's Inspectorate who are employees of the GSC. Licensing decisions (including approvals for variations, transfers, ownership and control of a licence) are made by the Commission during its monthly meeting, within which the Commission will observe a separate hearing per licence holder or applicant.

If the Inspectorate declines to recommend an applicant's appointment or licence issuance be approved at a Commission hearing, the licence holder or applicant can nonetheless request that the application be heard by the Commission.

In the event of negative information being found within the integrity investigations process, the Inspectorate will provide a case to the Commission stating their reason for not recommending the approval, for example that the appointment would carry an unacceptable risk.

The individual, however, may still be provided with an opportunity to present their case to the Commission who is independent from the Inspectorate. If successful, the Inspectorate will be over-ruled and the appointment will proceed as normal, subject to any additional measures or controls deemed appropriate.

There is no timeline for the lifecycle of integrity considerations. The legislation allows for the GSC to monitor compliance on an ongoing basis during the lifespan of a licence. Individuals who have been approved to hold a role will be subject to routine assessment of this integrity.

Where a person no longer holds either an approved or non-approved role they should notify the GSC at the earliest opportunity, following which the processing of their data will end subject to the GSC's Retention and Destruction Schedule.

Section 12

Data Protection

Consent

In accordance with Article 6 of the General Data (Application of GDPR) Order 2018 (GDPR), the GSC is processing personal data on the following basis:

- 1(c) processing is necessary for compliance with a legal obligation to which the GSC as a controller is subject; and
- 1(e) processing is necessary for the performance of a public task carried out in the public interest.

Sharing

As noted within this guidance document the GSC will share personal information with selected third-parties where it is deemed necessary to do so in order that the GSC may satisfy its obligations under OGRA.

For further information about data subjects rights please refer to the GSC's [Privacy Notice](#), or alternatively please contact the GSC's Data Protection Officer, details are provided below.

Retention and Destruction

All information and categories of personal data are listed on the GSC Retention and Destruction schedule. This document details the type of information the GSC collects; the purpose for collection of the data including the lawful basis; the retention period; and whether there is any selection by the Public Records Office. This schedule has been designed to ensure the GSC's compliance with GDPR.

All personal information referenced within this guidance document is stored on the Isle of Man Government secure network and CRM system Atlas.

All information is only used for the purpose it was collected for.

For further details regarding retention periods, or to request a copy of the GSC's Retention and Destruction Schedule, please contact the GSC's Data Protection Officer, details are provided below.

Data Protection Officer and registration details

Data Protection Officer	Kristy Maxwell	DPO-GSC@gov.im
Registered Address		Gambling Supervision Commission, St Georges Court, Myrtle Street, Douglas. IM1 1ED
Isle of Man registration		R002347
Privacy Notice		Privacy Notice