

CODE OF CONDUCT OF THE FEBRUARY 26th, 2022, lastly amended to date October 1st, 2022 pertaining to the introduction of rules of conduct regarding responsible gaming (“Code of Conduct Responsible Gaming 2022” or: “CCRG 2022”)

CURAÇAO EGAMING,

In view of the Directive (EU) 2014/65 of the European Parliament and of the Council of 3 January 2018 (“Marketing in Financial Instruments Directive II” or: “MiFID”),

In view of regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (“GDPR”),

In view of the Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law (“6AMLD”),

WHEREAS,

- (1) To date October 21st, 1954, the Charter for the Kingdom of the Netherlands (the: “Charter”) was adopted, arranging for the independence of the countries within the Kingdom of the Netherlands.
- (2) To date June 8th, 1993 the national ordinance on offshore games of chance was adopted, pertaining to the exploitation of games of chance on the international market by means of service line services and amending the Criminal Code of the Netherlands Antilles (“Ordinance OGC 1993”).
- (3) To date July 13th, 2009, the Minister of Justice has requested Curaçao eGaming (“CEG”) to under its license within the meaning of Article 1, first paragraph of the Ordinance OGC 1993 supervise the responsible offering by third parties of games of chance to international end users via the internet by means of a non-exclusive Information Provider Agreement,
- (4) To date October 10th, 2010, the Charter was amended, granting Curaçao its autonomy as an independent country within the Kingdom of the Netherlands.
- (5) To date May 25th, 2018, the GDPR has been implemented in the Netherlands General Ordinance on Data Protection (“GODP”), introducing safeguards for the benefit of protection of personal data, such as however not limited to article 46, GDPR, restricting the transfer of data to third parties and countries.
- (6) To date October 23st, 2018, 6AMLD was adopted, enhancing the global standard in the field of combating money laundering offences.
- (7) To date May 21st, 2020, the Netherlands has implemented the fifth Anti-Money Laundering Directive (EU) 2018/843 (“5AMLD”) in the Netherlands Money Laundering and Terrorist Financing Prevention Act (“MLtPa” or: “Wwft”). It failed to timely implement 6AMLD.

- (8) On November 2nd, 2020 the Netherlands proposed to Curaçao in accordance with article 38(1) of the Charter, an agreement and executive agenda (“Landspakket”, “Executive Agenda”) providing conditions for financial assistance pertaining to the pandemic. It has been heavily criticized by the Advisory Department of the Council of State as a breach of the principles of independence of Curaçao in accordance with the Charter.
- (9) On January 10th, 2021 in preparation of the fourth round of Anti-Money Laundering/Combating the Financing of Terrorism Mutual Evaluations (“AML/CFT”, “MEval”), the Financial Action Task Force (“FATF”) published an update on its methodology for assessing compliance with the FATF Recommendations and the effectiveness of AML/CFT systems. With a focus on effectiveness and technical compliance, a country must demonstrate that, in the context of the risks it is exposed to, its participants collectively form an effective framework to protect the financial system from abuse. On 25 June 2021, the FATF placed Malta under enhanced surveillance due to increased and ongoing money laundering and terrorist financing risks in that jurisdiction.
- (10) On November 4th 2021, over 135 countries and jurisdictions adopted the Base Erosion and Profit Shifting package (“BEPS”), as proposed by the Organization for Economic Co-operation and Development (“OECD”). BEPS includes measures to tackle hybrid mismatch arrangements, the abuse of treaties, the artificial evasion of qualification as a permanent establishment and to improve the processes of dispute resolution. For the implementation of the multilateral agreements, BEPS calls upon the participation of the international business communities.
- (11) To date February 24th, 2022, the invasion of Ukraine caused significant economic disruptions of the service industry in Ukraine, catering to the international gaming industry. These disruptions have caused an urgent need, in the light of MEval, to take additional measures for AML/CFT purposes, including however not limited to an evaluation and mitigation of any influence exerted, directly or indirectly via nominees or advisors, by Politically Exposed Persons (“PEP”), specifically connected in any way or form to the Russian Federation.
- (12) To date August 29th, 2022, the Board of Financial Supervision of Curaçao and Sint Maarten (“Cft Curaçao and Sint Maarten”) has warned the minister of Finance that the proposed replacement (“Landsverordening op de Kansspelen” or: “LOK”) of several ordinances including the Ordinance OGC 1993 shall in all probability not be in financial compliance with measure H.2 of the Executive Agenda. It is therefore deemed highly likely that the said proposal shall have a negative impact on the principles of effectiveness and technical compliance with reference to MEval.
- (13) On September 26th, 2022 the minister of Finance has announced that the said proposal has been further delayed, causing additional concern that the proposal LOK is not up

to industry standards, potentially bringing great harm to the economy of Curaçao. The said proposal has not been updated since it was first proposed by the Netherlands in the execution of H.2 of the Executive Agenda. LOK does not seem to include any measures designed to tackle advanced forms of fraud and is not tailored to effectively protect personal data with GDPR, making the gaming industry of Curaçao vulnerable to the abuse of such data.

- (14) The industry stakeholders have not received any updates on the said proposal since March 4th, 2022. In comparison, the Netherlands Remote Gambling Act was submitted to the Netherlands parliament for approval on July 18th, 2014. It was only after seven years that on October 1st, 2021, a heavily amended version came into effect. It is therefore highly unlikely that the Netherlands will be able to adequately revise its proposal for the Curaçao gaming industry to comply with H.2 of the Executive Agenda and the principles of MEval within the designated timeframe as suggested by MEval. Additionally, there are significant concerns that the said proposal shall not be compliant with the principles of autonomy and independence of Curaçao in accordance with the Charter.
- (15) To date August 12th, 2022 the ministry of Finance has suggested the introduction of additional last-minute substance requirements for the gaming industry in Curaçao. Since that time, no updates have been provided. No updates on any topic have been reported by designated participants within the AML/CFT framework such as however not limited to the Financial Intelligence Unit (“FIU”) of Curaçao and the Stichting Gaming Control Board (“GCB”) in the preparation of the execution of any obligatory duties within such framework, such as however not limited to expanding staff, setting up educational programs or setting guidelines. This may potentially lead to the practice of fronting by such participants, which is highly undesirable from the perspective of AML/CFT.
- (16) The gaming industry of Curacao is one of the most important lifelines, with potential for further growth, for the economy of Curacao, the development of knowledge and experience, local employment, infrastructure and trust sector. Partly in order to maintain its global competitive position, it must be protected against economic damage as a result of failure to guide, either by third countries or by its own government, the continuous process of development of the AML/CFT framework. Therefore, CEG as a participant within the said regulatory framework has taken the initiative to present via its Code of Conduct Responsible Gaming 2022 (“CCRG 2022”) guidelines for the detection and mitigation of unusual behaviour for AML/CFT purposes by industry stakeholders. Such efforts are part of CEG’s continuous aim to enhance the effectiveness and technical compliance of the framework, with reference to MEval as well as the aim to protect the local economy, national and international service providers as well as end users.

- (17) The CCRG 2022 is designed as a prelude to the introduction of the national Ordinance “Gatekeeper” (“Poortwachter”), that has been designed by several stakeholders as an alternative to the current, outdated proposal “LOK”. It may serve to further enhance the effectiveness of the current framework with reference to MEval .

NOW THEREFORE HAS DETERMINED AS FOLLOWS,

Chapter 1
General Provisions

Article 1

For the purposes of the Code and its provisions based on it, the following terms shall have the following meanings ascribed to them:

- a. 6AML: Directive (EU) 2018/1673 of the European Parliament and of the Council of 23 October 2018 on combating money laundering by criminal law;
- b. abuse: the use or threatened use of any type of law, legal process, authority or item in any matter or for any purpose for which it was not designed, in order to exert pressure on another person to act or refrain from acting;
- c. accreditation: a personal non-permanent recognition of a standard of quality;
- d. act: any type of action that is executed by a person;
- e. agreement: any type of manifestation of mutual assent by two or more persons towards one another;
- f. AML/CFT: Anti-Money Laundering/Combating the Financing of Terrorism;
- g. arm’s length: a legal or financial position that is characterized by independence and self-interest;
- h. boarding: the process of registration with a regulator of a brand or legal entity in accordance with the appropriate legal and financial safeguards;
- i. brand: a product, service or concept, such as a name, an application or a network domain, that holds sufficient public distinction in order to be easily identified as owned by a particular business;
- j. business: a commercial enterprise;
- k. Code: the Code of Conduct Responsible Gaming 2022;
- l. community: a group of persons;
- m. complaint: a grievance expressed in a written form concerning an act, conduct, structure or product that is not in compliance with standards of good industry practice;
- n. compliance: the act of following proper procedures in accordance with good industry practice and public authority;
- o. conduct: the act of controlling or directing a pattern of personal deportment;
- p. consumer: a natural individual who purchases goods and services for personal use as an end user;
- q. Curaçao: the country of Curaçao;

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- r. deboarding: the process of deregistration with a regulator of a brand or legal entity, such as however not limited to the discontinuation of a sublicense, by completing proper compliance procedures;
- s. director: a member of the board of directors of a legal entity;
- t. end user: the ultimate user of a product or service at the end of a supply chain;
- u. executive: a natural individual who is other than in the capacity of a nominee, factually managing the daily affairs of an operation;
- v. extortion: the practice of obtaining benefit through coercion;
- w. FATF: Financial Action Task Force;
- x. FATF Recommendations: a framework of measures recommended by FATF to countries in order to effectively combat money laundering and the financing of terrorism.
- y. Financial Action Task Force: an independent inter-governmental body that develops and promotes policies to protect the global financial system against money laundering, terrorist financing and the financing of proliferation of weapons of mass destruction. Its recommendations are recognised as the global anti-money laundering and counter-terrorist financing standard;
- z. financial instrument: the instrument as defined in the Marketing in Financial Instruments Directive II, referred to as EU Directive 2014/65/EU;
- aa. Financial Investigation Unit: an intermediary in accordance with FATF Recommendations that has been tasked to function between private entities that are subject to AML/CFT obligations and law enforcement agencies;
- ab. FIU: Financial Investigation Unit;
- ac. fronting: a process aimed at creating a false outward appearance that the center of policy making is located in a certain location or with a specific person;
- ad. game: an activity, whether or not for recreational purposes, executed in accordance with fixed rules, using one or a combination of elements such as competition, agility, insight and chance;
- ae. game of chance: any game within the meaning of the Ordinance OGC 1993, in which the chance of winning generally depends on chance, even if the chance increases with better practice or the greater dexterity of the player. This includes all odds agreements on the outcome of matches or further games not concluded between those participating in them, as well as all bets. Any offer under life insurance policies, premium loans, as well as financial instruments is not considered a game of chance;
- af. GCB: Stichting Gaming Control Board, registered in the chamber of commerce of Curaçao under reference 111237;
- ag. GDPR: Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data;
- ah. good industry practice: the conduct of with prudence, diligence and integrity exercising standards, methods, procedures and skills that are deemed customary within a specific industry;
- ai. hazard game: a game of chance;
- aj. holding: to have within his personal possession;
- ak. identification: the process of establishing the claimed identity of a person by means of using credentials that are provided by that person;

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- al. identity fraud: the criminal conduct by one person to use personal credentials, either in line with or against his will, of another person or to create credentials of an imaginative person with the purpose to persuade others to accept such false identity as its own;
- am. illegal: items, persons, structures, acts or conducts that are not allowed by means of public authority;
- an. industry notification: the act of distributing a notification to stakeholders optionally via multiple channels such as, however not limited to a text, publication or email;
- ao. Information Provider Agreement: the agreement between the license holder and sublicense holder regarding the responsibilities pertaining to the offering of games of chance, in accordance with the instructions of the Minister of Justice to date July 13th, 2009;
- ap. informing: the act of conveyance of any kind of information by a person to another person pertaining to acts that are intended to be executed in the future;
- aq. intermediary: a person facilitating the planning and execution of acts between parties;
- ar. item: anything material or immaterial that is individually distinguishable;
- as. jurisdiction: territory in which a public authority may exercise its powers;
- at. key individual: a natural individual who determines or co-determines the policy of the operation, or who, in name or in fact, holds the capacity of a beneficial owner in relation to the operator;
- au. layering: the process of adding, genuine or by appearance, legitimate owners via establishing transactions between accounts and persons with the purpose of concealing the original source of money or any type of assets holding value, such as however not limited to digital tokens, claims, deposits, entitlements and loans;
- av. legal entity: any body corporate or firm that is deemed a person under the law by which it is governed;
- aw. license: a license within the meaning of Article 1, first paragraph of the Ordinance OGC 1993;
- ax. LID: Landsverordening Identificatie bij Dienstverlening;
- ay. LvMOT: Landsverordening Melding Ongebruikelijke Transacties;
- az. MEval: the process of mutual evaluations as described by FATF to review the technical compliance and effectiveness within a framework of AML/CFT measures of individual countries by its peers;
- ba. money laundering: the offense referred to in Section 2:404 of the Criminal Code of Curaçao;
- bb. multi-accounting: the process of creating multiple end user accounts by one natural individual while assuming multiple false identities for the purpose of taking repeated advantage of an online service by receiving one-time benefits such as however not limited to free trials, discounts or bonuses;
- bc. natural individual: a human being;
- bd. non-executive: a nominee directly or indirectly acting in the capacity of director of a legal entity that is an operator;
- be. nominee: a natural individual who or legal entity that, by dependent or independent relationship with and on behalf of another person, is with some ability to exercise

- influence or control, directly or indirectly holding the ownership of assets or money in any form, digital or otherwise;
- bf. notification: the act of reporting or informing a person, community or a society by a regulator or public authority;
- bg. OECD: the Organization for Economic Cooperation and Development;
- bh. owning: to as a holder or otherwise be entitled to tangible or intangible items;
- bi. operation: the offering of games of chance as a business;
- bj. operator: any person that offers games of chance within a professional capacity;
- bk. Ordinance OGC 1993: the national ordinance of June 8, 1993 on offshore games of chance, containing provisions on the exploitation of games of chance on the international market by means of service line services and amending the Criminal Code of the Netherlands Antilles;
- bl. party: any participating person;
- bm. participation: the state of being involved in any type of ownership, holdership, structure, game, action or conduct;
- bn. person: a natural individual or legal entity;
- bo. player: a person participating in a game;
- bp. politically exposed person: a natural individual who holds or has held a prominent political position for more than a year or his immediate family member or close associate;
- bq. procedure: a set of instructions for completing a single task or activity within a process;
- br. process: a series of acts performed by one or multiple persons with the object to achieve a particular goal;
- bs. professional: a natural individual who holds the knowledge, ability or training to perform a certain activity in compliance with good industry practice;
- bt. proxy: a mandate that allows or obliges a specific person to perform a predetermined act on behalf of the person that has provided the said mandate;
- bu. public authority: the law and in its execution a person who is by democratic process bestowed upon by a society, the responsibility to exercise government over that society;
- bv. registrar: a regulator that is responsible for keeping a register or official records;
- bw. regulator: a person that has been instructed by any means of public authority to control a process;
- bx. reporting: the act of conveyance of any kind of information by a person to another person pertaining to acts that were performed in the past or present;
- by. ring: a collective of persons conspiring for illegitimate purposes, such as however not limited to the conduct of extortion;
- bz. stakeholder: any person who may become impacted by the outcome of a process or procedure;
- ca. structure: a set of entrepreneurial activities undertaken by multiple entities that have any legal relationship with each other;
- cb. sublicense: the non-exclusive right granted by the license holder by means of the Information Provider Agreement to conditionally offer games of chance as an independent operation;
- cc. sublicensee: the legal entity that holds a sublicense;

- cd. substance: a fundamental or characteristic element or quality;
- ce. transaction: the execution of any type of agreement between parties to exchange goods, services or financial assets;
- cf. transfer: any act by virtue of which any type of legal or financial positive or negative value such as however not limited to property, liability, responsibility, warranty and authority;
- cg. unusual: not in accordance with good industry practice;
- ch. verification: the process of establishing the genuine identity of a natural individual by means of using biometric data;
- ci. verification fraud: the criminal conduct of manipulating or falsifying biometric data or systems holding such data in the process of establishing an identity;
- cj. wallet: any item, digital or otherwise, that can be used to store items of either intrinsic or representing value;
- ck. white labeling: the practice of offering a product or service of a person under the brand of another person;
- cl. wind-up: the collection of procedures necessary to bring an operation to an end in accordance with good industry practice.

Chapter 2

Unusual Structures, Acts and Conducts

Article 2

1. Without prejudice to the exception of article 2(4) it is not allowed to offer games of chance by means of a structure that is deemed unusual.
2. Without prejudice to the possibility to designate a structure as unusual at any time, a structure shall be deemed as unusual, if:
 - a. it shall include any legal entity that has its seat or is factually established in Curaçao and that is offering games of chance, without having been granted on the basis of the Ordinance OGC 1993 the right to make such offerings, including however not limited to the offering of games of chance under the supervision of any foreign company, authority, regulatory body or institute;
 - b. it shall include a legal entity offering games of chance that is not incorporated under the law of Curaçao or does not have its seat in Curaçao or is not factually established in Curaçao;
 - c. it shall include a legal entity that receives and distributes funds from end users on behalf of a sublicensee without being a full direct or indirect subsidiary of the said licensee;
 - d. whether or not through an agreement to that effect, the actual control over the offering of games of chance has been assigned to someone other than the sublicensee;
 - e. the board of directors of the licensee does not directly or indirectly include a natural person who is a factual resident of Curaçao and who is supervised by the Central Bank of Curaçao and Sint Maarten, as referred to in the National Ordinance Pb 2003, no. 113;

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- f. by agreement to that effect or by any alternative means, the responsibilities and liabilities that have been consigned to the sublicensee have been assigned to another party;
- g. by agreement to that effect or by any alternative means, the sublicensee has committed for the benefit of any person within its structure to financial obligations or liabilities that are so substantial that it is unlikely or impossible for the sublicensee to make any profits;
- h. it shall include any natural individual who or entity that is or has at any time been excluded from participation in any form of transactions on the basis of any regulation, whether or not by sanction, included but not limited to politically exposed persons;
- i. by agreement to that effect or by any alternative means, the laws or regulations of Curaçao have been declared out of effect pertaining to the offering of games by a sublicensee or by any related person;
- j. any critical financial infrastructure exists pertaining to the offering of games by the sublicensee outside of the scope of the said sublicensee;
- k. any payment options are offered within the structure that have not been approved by the sublicensee or that are prohibited under the jurisdiction or jurisdictions in which the games of chances are offered;
- l. any payment options are offered that actively facilitate the anonymity of the debtor or beneficiary;
- m. any person within the structure shall commit to a loan without the provision of collateral or shall hold knowledge at the time of entering into such commitment that it is likely that the provided funds shall remain uncollectible;
- n. through a power of attorney to that effect, the director of the operator has been given a continuous or unlimited authority, whether or not factually, to act on behalf of the sublicensee;
- o. by agreement to that effect or by any alternative means, the sublicensee is consigning other persons than itself to offer games of chance to end users, also referred to as the practice of white labeling of a sublicensee;
- p. by agreement to that effect or by any alternative means, the sublicensee offers services to a person that is not an end user, such as however not limited to another business;
- q. by agreement to that effect or by any alternative means, the sublicensee or any related person within the structure offers a financial instrument;
- r. the sublicensee or any related person is offering games of chance to persons that are not natural individuals, such as however not limited to businesses;
- s. a brand is offered by a sublicensee or any related person under the false appearance that it has obtained the rights from the license holder or any third party to do so, such as however not limited to breach of intellectual property rights and the use of a facsimile aimed at creating the false appearance of being the original;
- t. services are offered that may be considered by anyone in the appropriate jurisdiction, immoral, inappropriate, criminal or offensive such as however not limited to display, mentioning or advertising of minors, nudity, violence, weapons, alcohol, tobacco,

- drugs, unregulated gambling, anonymous transactions of anything of value and the abuse of animals;
- u. a high number of complaints against the sublicensee has been escalated to the license holder;
 - v. the sublicensee or any of its key individuals are involved in any type of litigation or legal procedure, causing potential harm to the reputation or continuance of the sublicense or license, such as however not limited to any resolved matter pertaining to a registrar, regulator or public authority, or a future involvement in such matters is imminent.
3. When discovering an unusual structure as referred to in the article 2(1), the license holder, notwithstanding any obligation to take a mandatory measure as referred to in article 4, or optional measure as referred to in article 5, shall be allowed to timely take all measures that it deems appropriate and necessary to mitigate any potential risk of legal, financial or personal harm for any person, including itself, caused by the said structure.
 4. With exception to article 2(1) a structure that is deemed unusual may be allowed to offer games of chance, provided that the risk with reference to article 2(3) has been fully mitigated, is not in conflict with any obligation with reference to article 4 and article 5, the act of designing and maintaining the structure is not punishable as a criminal offence in the applicable jurisdiction and furthermore is not deemed an offense with reference to article 3(1), a, b or c, 6AML.D.

Article 3

1. The license holder shall deem as unusual any act or conduct within a structure that is deemed unusual within the meaning of article 2(1);
2. Regardless of the status of a structure, deemed unusual shall be, committed by any person, purposely or with negligence, either by facilitation, expedition, abuse, extortion or otherwise, the act or conduct of:
 - a. fronting such as, however not limited to renting or otherwise providing office space, hardware, software or service lines for no other purpose than to create a false outward appearance that the center of policy making is located in a particular location or with a specific person;
 - b. either by identity fraud, verification fraud, forgery, extortion or any combination of these or other methods, falsely assuming any form of mandate, proxy, authority, ownership, holdership, entitlement, appointment or identity such as however not limited to the practice referred to as multi-accounting;
 - c. infringing on the rights of a trademark or license, including however not limited to the conduct of creating the false appearance of being entitled to use a particular trademark or license;
 - d. executing, receiving or making a payment that is not supported by a written agreement as well as the conduct of coercion to persuade a person to execute such payment;
 - e. purchasing, selling, donating, renting out, leasing, lending or pledging claims pertaining to a game of chance against any person;

- f. charging a fee for rendering a service to any person under the false appearance that such a service is a mandatory requirement under any type of legislation, regulation or agreement, including however not limited to overcharging and the misrepresentation of the fees of others for personal benefit;
- g. obstruction or hindrance, delay or the refusal to comply with a compliance procedure, such as however not limited to submitting documentation that is uncertified, deliberately incoherent or of substandard visual quality, debate or misuse of procedure, obstructing or hindering any process of identification, verification, reporting and informing;
- h. transference of any value exceeding NAF 4,000 or its equivalent in other currencies or assets by or to any party without prior verification of all natural individuals that are directly or indirectly involved in such transfer;
- i. obstruction or hindrance of or the refusal to comply with any information requests, including however not limited to the timely submission of periodic reports to the license holder;
- j. replacement of one key individual with another without prior and explicit approval of the license holder;
- k. executing any type of transaction that is not based on arm's length principles;
- l. endangering the continuance of an operation by any financial or legal means;
- m. discontinuation of an operation, brand or entity without following the proper compliance procedures, such as however not limited to properly informing the license holder as well as the proper handling of all outstanding obligations and mitigation of liabilities;
- n. falsely acting in a formal capacity on behalf of the sublicensee as a member of a board of directors;
- o. changing the name of a sublicensee or any of its brands without prior approval by the license holder;
- p. purchasing, selling, lending, leasing or burdening shares within the structure of the sublicensee without prior approval by the license holder;
- q. acting contrary to a legal commitment, oath or promise;
- r. extortion, fraud, deceit, intimidation, slander in any way form or combination, by conspiracy or by ring, such as however not limited to abuse of authority, law, contract and terms of service;
- s. generic unprofessional behaviour, such as however not limited to the lacking of basic knowledge pertaining to the operation, the obligations of the sublicensee and its key individuals, displaying an uncourteous posture towards any person or lacking the ability to comprehend either the English or Netherlands language;
- t. acting in contravention with the law of an applicable jurisdiction, such as however not limited to criminal and financial prohibitions or the mismanagement of privacy and data regulations in alignment with MiFID II, GDPR, 6AMLD or otherwise;
- u. providing any type of incorrect or misleading information, purposely or by negligence, pertaining to however not limited to profits, losses, turnover, complaints, investments, end users, key individuals or nominees, including however not limited to the backdating of documents;

- v. any act or conduct committed by anyone against any person in connection with services as referenced in article 2(2)t;
 - w. negligence in attending to any matter that may cause damage to the reputation or continuance to the sublicense or license;
 - x. breach of the national ordinance of December 18th, 2015 pertaining to rules regarding the financial management of Curaçao;
 - y. offering services or supplying products to a person who or that is excluded as referred to in article 5(2)b;
 - z. facilitating an unusual structure, act or conduct that has not been allowed to continue, with reference to article 2(4) and article 3(4).
3. When discovering an unusual act or conduct as referred to in article 3(1), the license holder, notwithstanding any obligation to take a mandatory measure as referred to in article 4, or optional measure as referred to in article 5, shall be allowed to timely take all measures that it deems appropriate and necessary to mitigate any potential risk of legal, financial or personal harm for any person, including itself, caused by the said act or conduct.
4. An act or conduct that is deemed unusual may be allowed to continue, provided that the risk with reference to article 3(3) has been fully mitigated, is not in conflict with any obligation with reference to article 4, and article 5, the said unusual act or conduct is not punishable as a criminal offence in the applicable jurisdiction and furthermore is not deemed an offense with reference to article 3(1),a,b or c, 6AML.D.

Chapter 3

Mandatory and Optional Measures

Article 4

1. If a structure is deemed unusual as referenced in article 2(1), the license holder is obligated to create a record in which all unusual elements of the structure have been described and allocated in accordance with article 2(2) as well as the key individuals that are involved and a description of any noticeable conduct or act with reference to article 3(1).
2. If a conduct or act is deemed unusual as referenced in article 3(2), the license holder is obligated to create a record for each person involved in which the said conduct or act is described and allocated in accordance with that article.
3. The license holder shall investigate any unusual structure, conduct or act by any means at its disposal and add the results to the appropriate records.
4. The license holder shall determine whether or not the unusual structure, conduct or act, including however not limited to the act of designing and maintaining the said structure may potentially be punishable as a criminal offence in the applicable jurisdiction or is deemed an offense with reference to article 3(1), a, b or c, 6AML.D.
5. Without prejudice to any obligations by other articles or by law, the license holder has the obligation to within a reasonable time after it was discovered, report without disclosure to any persons involved, any unusual structure, act or conduct that may potentially be

punishable as a criminal offence in the applicable jurisdiction or is deemed an offense with reference to article 3(1),a,b or c, 6AMLD, to the FIU as well as any regulator, prosecutor or public authority it deems appropriate.

6. The license holder shall report to any regulator, prosecutor or public authority it deems appropriate, any structure, act or conduct of which it does not have the possibility authority or responsibility, mandate or authority to make a determination as described in article 4(5), including however not limited to complaints that do not relate to a sublicense that is not regulated by the license holder.

Article 5

1. In the event of an unusual structure with reference to article 4(1) or an unusual conduct or act with reference to article 4(2), without prejudice to any obligations by other articles or by law the license holder may take the measures such as, however not limited to the following:
 - a. establish financial safeguards;
 - b. arrange for temporary or permanent monitoring, guidance or legal defense;
 - c. order a deboarding or boarding of a brand or person;
 - d. suspend or terminate a sublicense or accreditation or services.
2. Without prejudice to any obligations by other articles or by law, if a person is not complying with measures with reference to article 2(3), article 3(3), article 4(3) or article 5(1), the license holder may take the measures such as, however not limited to the following:
 - a. issue an industry notification;
 - b. for a limited or unlimited period of time exclude that person from participating in a structure in any way or form, including however not limited to a prohibition to render services or to participate in a game of chance;
 - c. file a complaint with any regulator, prosecutor or public authority it deems appropriate.
3. The measures as referenced in article 5(1) and article 5(2) may be combined as well as imposed on multiple persons if the license holder deems that this may contribute to the protection of the standards of good industry practice.
4. Prior to taking any measure as referenced in article 5(2), the license holder shall allow the person as referenced in that article a period of two days to comply after having been explicitly warned via a notification of each measure that the license holder shall take if the said person remains non-compliant, combined with an explanation why the license holder deems the intended measures necessary and how they may contribute to the protection of the standards of good industry practice as referenced in article (5)2.

Chapter 4
Miscellaneous

Article 6

1. Any article in the Code shall derogate from national and international law or by verdict by a competent court.
2. The Code shall enter into force on April 1, 2022.
3. The Code is referred to as the Responsible Gaming Code of Conduct 2022, with the abbreviation CCRG 2022.