



CASINO GAMING COMMISSION

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PRIVACY NOTICE

The Casino Gaming Commission (“the Commission”) is committed to respecting the privacy of our licensees and all individuals who provide personal data to the Commission. As part of our commitment to protecting stakeholders’ privacy, and complying with our data protection obligations under the Data Protection Act, 2020 and other applicable laws, we have developed this Privacy Notice (the “Notice”) to outline how we protect the personal data provided to us.

Our Privacy Policy which is summarised in this Notice applies to all personal data and information that we collect from our licensees, or any other person who may interact with us. It outlines:

- what data we might collect;
- how we might use that data;
- what data we might share with others; and
- persons’ rights in relation to the personal data shared with us.

1. WHAT DOES THIS NOTICE COVER?

This Notice covers all activities and operations of the Commission, and applies to persons who provide data and information to the Commission.

The Commission is the Data Controller for the purposes of this Notice, which means that the Commission is responsible for deciding how personal data is used and ensuring that it is used in compliance with applicable data protection law. On occasion, we may work with other regulators to decide how personal data is used; in such cases, we are joint controllers with those regulators because we jointly determine the purposes for which and the means by which personal data is processed.

2. PERSONAL DATA THAT WE PROCESS

The Commission collects the following information directly from the owners of such data, as well as through third parties, such as other regulators and international collaborators:

Personal Data: For example: name, driver’s license number, passport number, photo ID, TRN, social security number, NIS, voter’s identification number.

Contact Details: For example: email address, telephone numbers, residential address, mailing address.

Employment Information: For example: employment status, employer name and address, nature of self-employment, type of business, salary and benefits, employment history.

Demographic Details: For example: date of birth, gender, age, nationality, marital status.

Financial Information: For example: credit report, credit card statement, bank statement, income, expenses, Politically Exposed Person (PEP) status, and other Anti-Money Laundering “Know Your Customer” (“AML KYC”) data as required by law.

Payment Information: For example: credit or debit card details, bank account information, to the extent that it identifies you.

Background Check Information: For example: sanction list checks.

Account Login Credentials: For example: username and password.

Electronic Communications Data: For example: IP address, geographic location, operating system, and browser type, when you visit our website or use our online services.

Image: For example: a person may submit your photograph to us in connection with an application for a licence, or Closed Circuit Television (“CCTV”) surveillance in our licensees’ premises may capture a person’s image and likeness on camera.

3. HOW PERSONAL DATA IS COLLECTED

The Commission usually collects personal data directly from the owner of the data (in person), by telephone, letter, or email and/or via our website, or from a prospective casino operator who is submitting information about a prospective employee in order for the prospective employee to obtain a licence. However, the Commission may also collect information:

- when a person registers and/or attends any event the Commission hosts or sponsors or at which the Commission is represented, such as a webinar or conference;
- from publicly accessible sources, e.g. social media websites, or Tax Administration Jamaica and other government authorities;
- directly from a third party, e.g. sanctions screening providers; credit reference agencies; customer due diligence providers;
- from a third party (e.g. banks or building societies), which may be with the consent of the owner of the data, or pursuant to a legal obligation;
- through our IT systems, e.g.:
 - automated monitoring of our website and other technical systems, such as our computer networks and connections;
 - CCTV and access control systems, including at the premises of our licensees;
 - communications systems, such as call recordings;
 - email and instant messaging systems; and
 - from cookies on our website.

4. ACCURACY OF PERSONAL DATA

The Commission relies on the availability of accurate, complete and current personal data to provide service to the public and discharge its regulatory functions. We therefore require and encourage licensees and other suppliers of personal data to notify us of any changes to personal data, such as changes concerning contact details or any other information that may affect the proper management and execution of the Commission’s functions.

5. PURPOSES FOR WHICH PERSONAL DATA IS PROCESSED

Under local data protection law, the Commission may only use personal data if there is a valid purpose for doing so. We may process personal data for the following purposes:

- to enable us to perform our statutory functions;
- to receive payments and process disbursements, including refunds;
- to process and investigate any complaints or queries about our functions or about a licensee or prospective licensee;
- to share information with another regulator or third-party collaborator;
- to assess an applicant's or prospective licensee's suitability for a licence or approval, including to carry out KYC due diligence checks including data validation and verification, sanction checks, credit reference checks and other customer acceptance, vetting and risk management checks as required under anti-money laundering, counter terrorist financing and counter proliferation financing law; or
- to capture persons' image and likeness through CCTV surveillance systems, which monitors and records activities at licensed properties to maintain a safe and secure environment for our licensees and their employees and patrons.

6. LAWFUL BASES FOR PROCESSING PERSONAL DATA

We must have a valid reason to use personal data, or a "lawful basis for processing".

Consent - a person is free to choose to provide the Commission with personal data or not and, may also choose to withdraw consent at any time. The Commission will collect persons' consent through any forms or agreements signed with us. Where we do not expressly obtain consent, we will only use personal data as we may reasonably be expected to, such as to process an application for a licence which has been submitted by or on behalf of the owner of personal data, or when we have one or more of the following other lawful bases for processing:

Performance of a contract - where the processing is necessary for the performance of a contract with the supplier of personal data;

Legitimate interests – this includes:

- improving our services;
- CCTV surveillance on licensed properties;
- preventing fraud;
- ensuring network and information security of our systems;
- operating our business and managing and developing our relationships with you;
- understanding how you use our products, services and website and effecting improvements.

Where the Commission relies on this lawful basis to collect and use personal data, we shall take appropriate steps to ensure that the processing does not infringe on the rights and freedoms granted to the owners of data under the applicable data privacy laws.

Administration of justice - where we rely on this lawful basis, we may be processing personal data in order to facilitate the administration of justice. This may occur when we initiate any legal action or administrative sanction against a defaulting licensee or when we are legally required to provide information or allow access to law enforcement and other governmental authorities/agencies.

Legal obligations to which we are subject - we are required by law to collect and process certain personal data when persons apply for a licence, and on an ongoing basis. As a result, the processing

of personal data becomes necessary for compliance with a legal obligation to which we are subject (for example, our obligations under the Proceeds of Crime Act and Terrorism Prevention Act, where we are required to collect KYC information. Please note that if we are not provided with this information, it may not be possible for us to process an application or issue a licence or approval, given that we are legally required to collect this information.

7. WHEN PERSONAL DATA IS SHARED

The Commission may share personal data with:

- third-party collaborators and contractors we engage to help us execute our regulatory functions, e.g. investigators, auditors, technicians or website hosts;
- banks to help trace funds where you are a victim of suspected financial crime and you have agreed for us to do so, or where we suspect funds have entered your account because of a financial crime;
- credit reference agencies;
- our insurers, brokers and other professional advisers;
- other regulatory bodies or government authorities or executive agencies, as may be necessary in accordance with any regulatory requirement;
- fraud prevention agencies if false or inaccurate information is provided and/or fraud is identified or suspected; and
- law enforcement agencies and other organisations to report any suspected crime in accordance with anti-money laundering regulations or as part of a criminal investigation.

8. INTERNATIONAL TRANSFER OF PERSONAL DATA

We may transfer personal data that we collect to third-party data processors, vendors, or hosting partners acting on our behalf located in countries outside of Jamaica, in connection with the purposes set out above. We may transfer your personal data to regulators and data processors located in the Caribbean, USA, UK, the EU or Canada, or in other jurisdictions whose regulators have signed a Memorandum of Understanding with the Commission in respect of the sharing of information for the purposes of regulatory collaboration. In particular, we may make such transfers to improve the efficacy of our regulatory operations, in keeping with your directives and to comply with a legal duty to do so.

All our third-party collaborators are required to take appropriate security measures to protect personal data in line with the Commission's policies, and to have data processing agreements with the Commission. Our data processing agreements do not allow third-party collaborators to use personal data for their own purposes, and only permit third-party collaborators to process personal data for specified purposes and in accordance with documented instructions and established procedures.

9. DATA RETENTION

The Commission takes the principles of data minimisation and removal seriously and has internal policies in place to ensure that only the minimum amount of personal data required for a particular purpose is obtained, and personal data is deleted promptly once it is no longer required. We are mandated by our enabling legislation (the Casino Gaming Act) as well as other legislation and policies by which we are bound to retain personal data for a certain time in some cases, and once that period elapses, the personal data is securely destroyed. We may also keep your personal data for longer than mandated if we cannot delete it for legal or regulatory purposes, or as necessary to resolve disputes and enforce licences and agreements.

10. AUTOMATED DECISION-MAKING

The personal data the Commission collects comes directly from the owners of the data, or from persons' use of our website and services, or from third-party collaborators. When a person applies for a licence or approval, we will need to assess fitness and probity based on a number of factors.

The Commission and other organisations acting to prevent fraud, money-laundering, terrorist financing and proliferation financing may also process personal data in systems that look for those crimes by studying patterns in the data.

In the above circumstances, the Commission and its third-party collaborators use a number of factors to make a decision, which may include automation. However, this is not the sole basis of the Commission's decisions. In all cases, the owner of personal data has the right to have that decision explained and if necessary, have the underlying information that led to the decision corrected.

11. RIGHTS OVER PERSONAL DATA

Each person who has supplied personal data to the Commission, or about whom such information has been supplied, has the legal right to:

- be informed as to whether the Commission processes the person's personal data and what personal data the Commission processes;
- request rectification of any errors or omissions in the personal data the Commission has collected;
- object to the processing of personal data for the purposes of direct marketing at any time;
- prevent the processing of personal data outside the scope of consent or other lawful basis;
- object to the processing of personal data likely to cause substantial damage or substantial distress; and
- object to the making of significant decisions by automated means only.

To exercise these rights, please contact us via email, mail, or phone as indicated below in the "Contact Information" section.

12. USE OF TECHNOLOGY

The Commission automatically processes certain personal data, such as CCTV footage at premises of our licensees, and visits to our website.

CCTV Footage

The Commission uses CCTV surveillance systems to monitor and record activities at licensees' premises, to maintain a safe and secure environment for licensee's employees and patrons, and to ensure the integrity of gaming-related activities. The Commission also uses the data collected from such CCTV surveillance systems for security and risk management, incident investigation, and other purposes permitted by law. The data collected from CCTV surveillance systems is securely discarded when it is no longer required by law.

Cookies

When a person visits any website, the website may store or retrieve information on or from the person's browser, mostly in the form of cookies, or small pieces of text that are saved on a person's Internet

browser when they access a website. This information might be about the user, the user's preferences or the user's device, and is mostly used to give you a more personalized web experience, without directly identifying the user.

Every user can choose not to allow some types of cookies by adjusting preferences in the banner on the Commission's website; however, if some types of cookies are disabled, some parts of the website or online services may not work.

Use of Third-Party Cookies

The Commission may include links to third-party websites on its own website, and may also use third-party providers to help collect and compile information like the number of visitors to the Commission's website, where visitors have come to the website from, and the pages they visit. Third-party websites and providers may also use cookies to deliver advertisements that appear relevant to you and your interests and to help measure the effectiveness of an advertising campaign.

These third parties may collect your IP address or device identifier on the date you visit our website, but not your name or other identifying information. The Commission does not combine information collected using these third-party providers with other personal data it collects. Third party providers have their own cookie and privacy policies.

13. CONTACT US

If you have any queries or complaints about privacy, please contact the Commission's Data Protection Officer at:

14. CHANGES TO OUR PRIVACY POLICY

The Casino Gaming Commission reserves the right to amend the Privacy Policy which informs this Notice from time to time to ensure that it accurately reflects the manner in which personal data is collected and used. Stakeholders are encouraged to regularly review this Notice and the underlying Privacy Policy to ensure that they understand the Commission's privacy practices.