

EXECUTIVE COUNCIL

PUBLIC

Title:	Falklands Gun Club – Exemption from Pool Betting Duty
Paper Number:	125/18
Date:	29 th August 2018
Responsible Director:	Financial Secretary
Report Author:	Financial Secretary
Portfolio Holder:	MLA Roger Spink and MLA Roger Edwards
Reason for paper:	This paper is submitted to Executive Council: For information To meet a statutory requirement
Publication:	Yes
Previous papers:	131/17
List of Documents:	Appendix A: Falklands Gun Club application for continuation of exemption of Pool Betting Duty as Registered Pool promoter for Poker Nights. Appendix B: Falklands Gun Club report – Poker Nights August 2017 – July 2018.

1. Recommendations

Honourable Members are recommended to consider and approve exemption for the Falklands Gun Club from Pool Betting duty. It is further recommended that this application is not open ended, should be reviewed annually and is for charitable purposes only and not for personal profit.

2. Additional Budgetary Implications

None.

3. Executive Summary

3.1 Promotion of a pool will ordinarily require the payment of pool betting duty in accordance with section 4 of the Pool Betting Ordinance 1994. The Falklands Gun Club wishes to be exempt from paying the pool betting duty. Permission from the Governor will be required. The Governor may grant such an exemption by order, and specific

details of the intended event will need to be provided for every event that the Falklands Gun Club intends to hold.

- 3.2 The attached paper is an application for the continuance of exemption of pool betting duty of the Falklands Gun Club along with a report detailing the income and expenditure received as a result of Poker Nights held from August 2017 – July 2018.

4. Background and Links to Islands Plan and Directorate Business Plan/s

- 4.1 Steve Dent was registered as a pool promoter under the Pool Betting Ordinance in April 2015 on behalf of the Falklands Gun Club. Under the Ordinance, Mr Dent will remain registered until such a time as his registration is revoked (either through application from him to the Financial Secretary or by the Financial Secretary under certain circumstances). Therefore, no further permission is required for Mr Dent to carry out further events which fall under the definition of pool betting under the Pool Betting Ordinance; as long as the pool betting is operated in accordance with this Ordinance and the event is carried out within unlicensed premises.
- 4.2 The Pool Betting Ordinance (s.5) provides that no later than seven days after every pool betting event of which Mr Dent is a promoter takes place, he will be required to submit to the Financial Secretary a true balance sheet showing (a) all money received (b) all money paid for the provision of prizes (c) all donations made to the Falklands Gun Club' and (d) details of any expenses. The Financial Secretary may require the promoter to produce to him receipts or evidence of payment and outgoings to verify and substantiate any return made.
- 4.3 Promotion of a pool will ordinarily require the payment of pool betting duty in accordance with section 4 of the Ordinance. However, if Mr Dent, on behalf of the Falklands Gun Club, wishes to be exempt from paying the pool betting duty then permission from the Governor will be required. The Governor may grant such an exemption by order, and specific details of the intended event will need to be provided by Mr. Dent for every event that the Falklands Gun Club intends to hold.
- 4.4 Exemption from paying this duty has been given on condition that all profits are applied to the Falklands Gun Club (being a club established and conducted mainly for the support of athletic sports or games).
- 4.5 The Law and Regulation Department have advised that if it is the case that Mr Dent intends to carry out Pool Betting events on a fairly regular basis and would wish to be exempt from pool betting duty each time, then a more general long-term exemption order could be granted. It has been suggested that this matter will no longer be too unimportant for the Governor to sign off without prior consultation with Executive Council. This is because it would involve an indefinite commitment to waiver pool betting duty in this instance.

5. Options and Reasons for Recommending Relevant Option

- 5.1 To renew an exemption that is already in place that benefits sporting and recreational activity within the Falkland Islands. The alternative is to not to continue the exemption.

6. Resource Implications

6.1 Financial Implications

The £25 pool betting fee is the fee for registration as a pool promoter. This has already been paid and therefore Mr Dent will not need to pay this fee again for as long as he remains a registered promoter.

6.2 Under section 4(1) of the Pool Betting Ordinance every promoter shall pay to the Financial Secretary a duty of 10% of the aggregate staked in relation to every pool betting competition organised by the promoter.

6.3 However this pool betting duty is not payable if

(a) If the Governor has granted an exemption under subsection (4), this provides that the Governor may by Order exempt any promoter from the payment of pool betting duty on condition that the profits are applied for such charitable sporting or public purposes as are mentioned in the order.

(b) The profits of the pool competition are paid or to be paid to a charity or applied for a public purpose (as defined in the Ordinance).

6.4 The Falklands Gun Club held 11 Poker Nights between August 2017 and July 2018. The month of January was deliberately omitted as per the licence application; the month of April was not played due to Commonwealth Games commitments. Funds raised for the Club as a result of these nights amounted to £1,705.00. If exemption had not been granted the sum of £170.50 would have been paid as duty. Therefore approval for this exemption will result in lost revenue to FIG. However this has not been budgeted for and it is felt appropriate for FIG to support this charitable cause.

6.3 Human Resource Implications

None.

6.4 Other Resource Implications

None.

7. Legal Implications

7.1 The implications of applying for an indefinite pool betting exemption are set out in the report.

7.2 The exemption from the payment of duty does not absolve the promoter from the need to present the information under Section 5 of the Ordinance and the protections for the promoter remain in place.

8. Environmental & Sustainability Implications

8.1 None.

9. Significant Risks

9.1 None.

10. Consultation

10.1 None.

11. Communication

11.1 None.

Treasury
10 JUL 2018
Falkland Islands Government



Graham J Didlick
Chairman
Falklands Gun Club

Your Ref: 33/A(1)

9th July 2018

Financial Secretary
Secretariat
Thatcher Drive
Stanley

APPLICATION FOR CONTINUANCE OF EXEMPTION OF POOL BETTING DUTY
AS REGISTERED POOL PROMOTER
FOR POKER NIGHTS

With reference to our current licence which is due for review on 31st August 2018 we wish to apply for a renewal of the licence to run from the current expiry date on behalf of the Falklands Gun Club. We would be looking to operate the fund raising events under the same auspices as the previous exemption licence and taking place at the Chamber of Commerce.

Requested Dates:

Exemption from Pool Betting – Event starting on Friday 7th Sept or Saturday 8th Sept 2018

Exemption from Pool Betting – Event starting on Friday 5th Oct or Saturday 6th Oct 2018

Exemption from Pool Betting – Event starting on Friday 2nd Nov or Saturday 3rd Nov 2018

Exemption from Pool Betting – Event starting on Friday 7th Dec or Saturday 8th Dec 2018

Exemption from Pool Betting – Event starting on Friday 1st Feb or Saturday 2nd Feb 2019

Exemption from Pool Betting – Event starting on Friday 1st Mar or Saturday 2nd Mar 2019

Exemption from Pool Betting – Event starting on Friday 5th Apr or Saturday 6th Apr 2019

Exemption from Pool Betting – Event starting on Friday 3rd May or Saturday 4th May 2019

Exemption from Pool Betting – Event starting on Friday 7th June or Saturday 8th June 2019

Exemption from Pool Betting – Event starting on Friday 5th July or Saturday 6th July 2019

Exemption from Pool Betting – Event starting on Friday 2nd Aug or Saturday 3rd Aug 2019

We would look for the events to run from the same times of 1900hrs to 0200hrs the following day. The above includes alternative dates not additional dates to cover short fall of organisers on a particular date or unforeseen large public or other community fund raising events.

Due to Christmas and New Year family holidays January has been deliberately omitted.

Due to July 2019 being the date for the Gibraltar Island Games this month's may have to be cancelled. Should this occur notification will be given to the Financial Secretary.

The Falklands Gun Club will look to take a maximum of £500.00 from each event in to its funds, however we will reduce this figure dependent on how many participants there are on each night to maintain interest and enjoyment by those taking part.

I also attach a breakdown of monies taken from August 2017 to July 2018 events inclusive.

Yours sincerely,



GJ Didlick
Chair Person
Falklands Gun Club

Falkland Gun Club
Report to the Financial Secretary
Poker Nights August 2017 - July 2018

Income

August 2017	Initial Buy In's	£400.00
	Additional Buy In's/Add On's	£460.00
September	Initial Buy In's	£200.00
	Additional Buy In's/Add On's	£160.00
October	Initial Buy In's	£280.00
	Additional Buy In's/Add On's	£260.00
November	Initial Buy In's	£320.00
	Additional Buy In's/Add On's	£430.00
December	Initial Buy in's	£220.00
	Additional Buy In's / Add On's	£240.00
February 2018	Initial Buy in's	£260.00
	Additional Buy In's / Add On's	£310.00
March	Initial Buy in's	£420.00
	Additional Buy In's / Add On's	£490.00
April	Initial Buy in's	£ 00.00
	Additional Buy In's / Add On's	£ 00.00
May	Initial Buy in's	£300.00
	Additional Buy In's / Add On's	£340.00
June	Initial Buy in's	£240.00
	Additional Buy In's / Add On's	£270.00
July	Initial Buy in's	£160.00
	Additional Buy In's / Add On's	£150.00

(A) Total Takings for the nights **£5910.00**

Expenditure

August 2017	Gun Club Take	£ 200.00
	Room Hire & Result Adverts	£ 50.00
September	Gun Club Take	£ 80.00
	Room Hire & Result Adverts	£ 50.00
October	Gun Club Take	£ 50.00
	Room Hire & Result Adverts	£ 50.00
November	Gun Club Take	£ 175.00
	Room Hire & Result Adverts	£ 50.00
December	Gun Club Take	£ 100.00
	Room Hire & Result Adverts	£ 50.00

February 2018	Gun Club Take	£ 100.00
	Room Hire & Result Adverts	£ 50.00
March	Gun Club Take	£ 200.00
	Room Hire & Result Adverts	£ 50.00
April	Gun Club Take	£ 00.00
	Room Hire & Result Adverts	£ 00.00
May	Gun Club Take	£ 140.00
	Room Hire & Result Adverts	£ 50.00
June	Gun Club Take	£ 100.00
	Room Hire & Result Adverts	£ 50.00
July	Gun Club Take	£ 60.00
	Room Hire & Result Adverts	£ 50.00
(B) Total Expenditure		£1705.00
Total Prize Pool (A-B)		£4205.00

Additional:

Month of January deliberately omitted as per licence application.
 Month of April not played due to Commonwealth Games commitment.



Graham J Didlick
Falkland Gun Club – 10th July 2018