NIISITAPI
GAMING COMMISSION

Role of Alternative Dispute Resolution Entities

Document control

Item	Entry
Issued by	Niisitapi Gaming Commission
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1. Purpose, authority and status

1.1 Purpose

The Niisitapi Gaming Commission (the "Commission") requires every Operator to give Players access to an independent alternative dispute resolution (ADR) entity approved, accredited or recognized by the Commission (Regulation 20.3 of the Online Gaming Regulations, the "Gaming Regulations"). This policy sets out:

- the role of an ADR entity in resolving Disputes between Players and Operators;
- how an ADR entity can apply to the Commission to be approved and listed on its published register;
- the criteria the Commission applies, and how it vets, monitors and, where necessary, suspends or removes ADR entities; and
- how Operators must use Approved ADR Entities.

1.2 Authority and effect

This policy is issued under Regulations 22.1(h), 43.1 and 46 of the Gaming Regulations, which allow the Commission to approve or recognize ADR entities. Approval does not make an ADR entity an employee, agent, partner or contractor of the Commission, or entitle it to act for or represent the Commission, except as this policy provides.

1.3 Who this policy applies to

This policy applies to ADR entities that provide or wish to provide ADR services to Operators, and to Operators that engage them (section 11).

1.4 The Commission's approach

The Commission does not certify ADR entities from scratch. It may take into account certification, licensing, approval or listing in another reputable jurisdiction, but this never gives automatic recognition. Every ADR entity is vetted against this policy and needs the Commission's express approval before providing ADR services in its jurisdiction. The Commission publishes a register of Approved ADR Entities.

1.5 Relationship to other instruments

This policy is to be read with the Gaming Regulations, the Player Complaints Policy, the Responsible Gaming Policy and the AML Code. In case of conflict, the Gaming Regulations prevail, and a mandatory provision of applicable law prevails over both (Regulation 47).

2. Definitions

Term	Meaning
Commission	The Niisitapi Gaming Commission (the "Commission" in the Gaming Regulations).
Operator	A B2C Licensee under the Gaming Regulations.
Player	Has the meaning in the Gaming Regulations.
ADR entity	An independent body that resolves Disputes between Players and Operators outside court.
Approved ADR Entity	An ADR entity approved or recognized by the Commission and listed on the register (section 8).
Applicant	An ADR entity that applies to be listed under section 6.
Issuing Authority	A regulator or other competent authority that certifies, licenses, approves or lists ADR providers.
Recognized Status	A current certification, licence, approval, accreditation or listing as an ADR provider, in good standing, issued to an ADR entity by an Issuing Authority in a jurisdiction the Commission considers reputable (section 4.3).
Dispute	Has the meaning in the Player Complaints Policy.
Responsible Gaming Complaint	Has the meaning in the Player Complaints Policy.
Gaming Regulations	The Online Gaming Regulations.
Player Complaints Policy	The Commission's Player Complaints Policy for Licensed Operators.
Responsible Gaming Policy	The Commission's Responsible Gaming Policy for Licensed Operators.
AML Code	The Commission's AML/CFT/CPF Code of Practice, which is the AML Policy under the Gaming Regulations.
Working Day	A day other than a Saturday, a Sunday or a public holiday in the jurisdiction of the Commission.

3. The role of an ADR entity

3.1 Function

An Approved ADR Entity is an independent and impartial body that decides Disputes referred to it under the Player Complaints Policy. It must:

- decide each Dispute objectively on its merits, on the evidence the parties submit (it has no investigatory role), having regard to the applicable terms, law and regulatory requirements;
- use suitably qualified and competent staff, and work with due diligence and within the applicable time limits;
- give a written, reasoned decision setting out its findings, the outcome, any action required of either party and the deadline for it (fourteen (14) calendar days if none is set); and
- communicate the decision promptly to both parties, with information on its effect, implementation and any right of review or challenge.

It must act independently, impartially, fairly and transparently, and maintain procedures for managing conflicts of interest, handling complaints about its service and monitoring the quality and timeliness of its work.

3.2 Effect of decisions

A determination of an Approved ADR Entity is binding on the Operator and must be implemented within the period it specifies, subject to any right of appeal, review or other remedy available under applicable law (Regulations 20.3 and 37.1(o)). The ADR entity's rules of procedure and Player-facing information must clearly inform the Player of the Player's right to take legal action.

3.3 Cost to Players

The Licensee shall pay all ADR fees and costs upfront and bear those costs regardless of the outcome, except where the ADR Provider determines the complaint in favour of the Licensee and expressly finds that:

(a) the amount disputed is less than €500 or its equivalent and the complaint was vexatious or brought in bad faith; or

(b) the complaint forms part of a repeated pattern of vexatious or bad-faith use of the ADR process.

In either case, the ADR Provider may authorise the Licensee to recover reasonable and proportionate ADR costs actually incurred, specifying the amount and reasons in its decision. The Player shall have an opportunity to respond before any costs are awarded. An unsuccessful complaint, or the submission of more than one complaint, shall not alone justify recovery.

3.4 Time

An Approved ADR Entity must use its best endeavours to decide within ninety (90) calendar days of receiving a complete file. If it cannot, because of complexity, the parties' conduct, the need for further evidence or other good reason, it must tell both parties in writing, before the deadline where practicable, why and when it expects to decide, keep them informed of any further delay, and conclude without undue delay.

3.5 When an ADR entity shall refuse a Dispute

An Approved ADR Entity must refuse a Dispute, giving written reasons without undue delay, where:

- the Player has not completed the Operator's complaints process and is not yet entitled to refer the Dispute;
- the Dispute is frivolous or vexatious, or does not concern a gambling service;
- the Dispute is excluded by an anti-abuse measure stated in the Operator's Complaints Procedure Statement (such measures never apply to Responsible Gaming Complaints);
- the Dispute is already before another ADR entity, a court or another competent body, or has already been decided by an Approved ADR Entity, unless the applicable rules or law allow reconsideration;
- the Player is re-referring a Dispute that was terminated or declined because the Player did not cooperate, unless the applicable rules provide otherwise (this does not apply where the earlier referral was declined only because of a conflict of interest);
- the Dispute was referred outside the time limit in the Player Complaints Policy;
- the entity has a conflict of interest that safeguards cannot manage (the Dispute may then go to another Approved ADR Entity where practicable);
- the Dispute is brought by the Operator against a Player;
- the Operator was not licensed or otherwise authorized by the Commission for the relevant service when the events occurred; or
- the Dispute is referred by someone who is not a Player.

3.6 Limits on what an ADR entity decides

- An Approved ADR Entity must not require an Operator to act contrary to law, regulatory requirements or a binding order, including releasing lawfully frozen or restricted funds or reversing or shortening a self-exclusion (Player Complaints Policy, sections 10.3 and 8.3).
- It must not ask an Operator to disclose information that the Operator is prohibited from disclosing, such as the existence of a suspicious-activity report (AML Code, Part V.2).
- It must not decide whether an Operator has breached its License conditions or other regulatory obligations; those matters are for the Commission. It may consider the Operator's terms, conduct and evidence as needed to resolve the Dispute, but must not make a regulatory finding or exercise the Commission's powers.

This does not prevent an Approved ADR Entity from referring information or suspected non-compliance to the Commission, or cooperating with it, as the law and its confidentiality obligations allow.

3.7 Notifying the Commission

An Approved ADR Entity shall notify the Commission without undue delay where an Operator fails to implement a determination within the period it specifies, or where the entity identifies suspected regulatory non-compliance by an Operator in the course of a Dispute, in each case to the extent permitted by applicable law and its confidentiality obligations.

4. How the Commission approves ADR entities

4.1 Two routes to the register

The Commission alone decides whether an ADR entity is approved and listed. Approval or recognition elsewhere never gives an automatic right to be listed.

Recognition route. An Applicant with Recognized Status may apply under section 4.2. That status is one factor in assessing the Applicant and creates no presumption of approval.

Direct route. Any other Applicant may apply for direct assessment under section 4.4 and must show that it meets section 5.

Under either route, the Commission vets every Applicant (section 7). It may ask for further information, make enquiries, impose conditions, defer its decision or refuse the application.

4.2 Recognition route

Recognized Status is supporting evidence only. It creates no presumption of compliance or equivalence.

The Commission may:

- verify the Recognized Status with the Issuing Authority;
- decide whether the Issuing Authority's framework is robust and reliable enough to rely on;
- compare the Issuing Authority's criteria and procedures with section 5, and decide which criteria, if any, it will treat as met;
- require further documents, declarations or verification from the Applicant; and
- assess independently the requirements specific to the Commission, including English-language access, knowledge of the Commission's instruments, the binding effect of decisions, time limits, and reporting and notification duties.

An Applicant holding Recognized Status from more than one Issuing Authority must disclose each. This gives no additional entitlement.

The Applicant must prove compliance. The Commission may refuse an application where the evidence is insufficient or equivalence is not established.

4.3 Reputable jurisdictions

The Commission decides on its own discretion which Issuing Authorities and jurisdictions it regards as reputable, using the factors in Annex A. It is not required to publish a closed list, but it may publish the Issuing Authorities it has accepted. Accepting an Issuing Authority for one entity does not bind the Commission in later decisions, and the Commission may withdraw its acceptance of an Issuing Authority.

4.4 Direct route

An Applicant that applies directly must satisfy all the criteria in section 5 on the Commission's own assessment. That includes due diligence on its owners and key persons, its rules of procedure and sample decisions, and an interview.

The Applicant must prove that it meets all requirements. The Commission may refuse the application if it does not, or if material deficiencies remain.

Direct applications usually take longer. Any processing estimate is not a commitment to decide within that time or to approve.

4.5 No obligation

The Commission is not obliged to list any entity or to accept any Issuing Authority. An application does not create a right or expectation that an entity will be listed.

5. Eligibility criteria

An Applicant must show that it meets all of the following. Under the recognition route, the Commission may, at its discretion, rely on an accepted Issuing Authority's assessment of a criterion (section 4.2), except for the Commission-specific criteria.

Criterion	Requirement
Legal status and standing	A legal entity in good standing, with a registered office and a contact point that can be reached in English. It is not subject to insolvency proceedings and has no adverse regulatory history that the Commission considers material.
Owners and key persons	The Applicant, its beneficial owners, directors and adjudicators are fit and proper: of good integrity, competence and experience, independent, and free of any actual, potential or perceived conflict of interest. The Commission carries out due diligence on each of them.
Expertise	At least one key person is a practising lawyer. The ADR team has three or more people with relevant professional experience. Adjudicators understand how gambling services and betting products are run, typical Operator terms and conditions, the rules of the sports or events involved, and how outcomes and odds are determined. They know the Gaming Regulations and the Commission's instruments that apply to Players and Operators.
Independence	The entity and its related companies and persons do not carry out affiliate or marketing work for gambling operators, and do not supply other products or services to Operators. It has no conflict of interest with either party to a Dispute and is not related to an Operator in any matter it handles. Adjudicators who also work elsewhere must not be conflicted by that work. Adjudicators are engaged on terms that protect their independence and are not paid by reference to case outcomes.

Criterion	Requirement
Procedures	The Applicant has clear rules of procedure, complaints-handling arrangements, admissibility criteria, time limits, publication practices, confidentiality safeguards and arrangements for managing conflicts of interest. Its decisions are reasoned and show sound legal and factual reasoning, impartiality, consistency and procedural fairness.
Access and cost	Disputes are handled and accepted in English and in any other language for which the entity is approved, as shown on the register. The service is free to the Player.
Time	Aims to decide within 90 days of receiving a complete file. Any extension shall be exceptional and notified to the parties.
Capacity and continuity	The Applicant has the organizational structure, technology, record-keeping and reporting arrangements to discharge its obligations under this Policy on an ongoing basis.
Data protection and security	Complies with data protection law and protects the personal data and confidential material it handles.
Commission-specific duties	Accepts the binding effect of decisions on Operators (section 3.2), the refusal grounds (section 3.5), the limits on its decisions (section 3.6), and the notification and reporting duties in sections 3.7 and 9.

6. Application process

6.1 How to apply

An Applicant applies in writing, in English, to [email address / portal], providing the information required by section 5 and enclosing supporting documents.

6.2 Complete application

The Commission will acknowledge the application within 5 Working Days and say whether it is complete. Time under section 6.4 runs from the date the application is complete.

6.3 Verification

The Applicant consents to the Commission verifying its application with any Issuing Authority and other reliable sources. The Commission may ask for more information and may ask to meet the Applicant in person or online.

6.4 Timing

The Commission aims to decide within 6 weeks of a complete application. It may extend that period once, by up to 6 weeks, and will inform the Applicant in writing.

6.5 Fees

The Commission may prescribe fees by a published schedule (Regulation 46.1).

6.6 Accuracy

Information given to the Commission must be complete and accurate. False or misleading information is a ground for refusal, and for suspension or removal if the entity is already listed.

6.7 Confidentiality

The Commission treats application information as confidential and processes personal data in line with data protection law. It discloses it only where:

(a) the law requires or permits it, or it is needed for the Commission's regulatory functions;

(b) it is needed to verify Recognized Status with an Issuing Authority, limited to what that requires;

(c) a competent regulatory, law-enforcement or judicial authority requires it or may lawfully receive it; or

(d) it is published on the register under section 8.

Any disclosure is limited to what is necessary. The Commission's privacy notice explains how applicants' personal data are used.

7. Vetting and decision

7.1 Vetting

Before listing an entity the Commission may, as relevant to the route: check the application is complete and consistent; verify Recognized Status with the Issuing Authority; carry out due diligence on owners and key persons; review conflicts and relationships with Operators and gambling businesses; review the rules of procedure and sample decisions; consult the Issuing Authority and, where appropriate, other regulators; and/or interview the Applicant.

7.2 Decision

After its assessment, the Commission may:

(a) approve the Applicant;

(b) approve it subject to conditions; or

(c) refuse the application.

Conditions may include limits on the Operators, types of Dispute, services or languages covered; enhanced reporting or audit; additional safeguards on independence or capacity; a deadline to remedy deficiencies; or a time limit on the approval.

The decision is given in writing with reasons and any conditions. An approval states the date the entity is listed and any limits on its duration or scope. The entity must not provide ADR services under this policy before that date, or beyond the approved scope.

The Commission may later vary or withdraw conditions, or suspend or withdraw approval, under section 10.

7.3 Duration

A listing continues until it is withdrawn, suspended or removed, subject to the annual confirmation in section 9.3 and, where the entity relies on Recognized Status, to that status remaining current.

7.4 Finality

The Commission's decision is final, subject to any right of review or appeal under applicable law. A refused Applicant may apply again when it can show that the reasons for refusal no longer apply.

8. The register

8.1 Publication

The Commission publishes on its website the register of Approved ADR Entities, with the content in Annex C. It updates the register promptly when an entity is listed, when its details or conditions change, and when it is suspended or removed.

8.2 Use of the listing

An entity that is suspended or removed, or whose approval ends, must immediately stop presenting itself as an Approved ADR Entity, remove such references from its website and materials, and take reasonable steps to stop third parties doing so. Breach may lead to further action by the Commission. The entity may complete existing Disputes only where the Commission so decides (section 10.4).

8.3 What the register does not mean

Listing confirms only that the entity may provide ADR services within its approved scope. It is not an endorsement of any decision. The Commission does not review the merits of ADR decisions (Player Complaints Policy, section 14.1), and listing does not relieve the entity of its own responsibility to comply with this policy and the law.

9. Ongoing obligations of Approved ADR Entities

9.1 Continuing eligibility

An Approved ADR Entity must keep meeting the criteria in section 5 and, where it relies on Recognized Status, keep that status current.

9.2 Notifying changes

It must tell the Commission within 5 Working Days of any change that could affect its listing, including:

- the suspension, withdrawal, expiry, restriction or conditioning of any Recognized Status it relies on, or an investigation into it by an Issuing Authority;
- a change of ownership, control, legal form, key persons or rules of procedure;
- a conflict of interest, or any loss of independence;
- insolvency, or a serious disruption to its business; and
- any adverse regulatory or legal action against it or its key persons.

9.3 Annual confirmation

Once a year, on or before the anniversary of listing, it must confirm that it still meets the eligibility criteria, with current evidence of any Recognized Status it relies on, a list of Operators it serves and caseload statistics.

9.4 Half-yearly report

By 15 January (covering 1 July to 31 December) and 15 July (covering 1 January to 30 June), it must submit a report on the Disputes it received and their outcomes, using Annex B (Player Complaints Policy, section 15.4).

9.5 Records

It must keep its case files and decisions for at least five years after each Dispute is closed, and make them available to the Commission or the Regulatory Support Provider on request (Regulations 22.1(g) and 43.1).

9.6 Cooperation

It must cooperate fully with the Commission’s monitoring, and reply to Commission requests within 10 Working Days.

9.7 Agreements with Operators

It must have a written agreement with each Operator it serves. The agreement must not restrict the entity’s independence or conflict with this policy.

9.8 Personal data

It must handle personal data in line with data protection law and use it only for the purpose of resolving the Dispute.

10. Monitoring, suspension and removal

10.1 Monitoring

The Commission may monitor Approved ADR Entities by reviewing files and reports, visiting the entity (in person or online), consulting Issuing Authorities and other regulators, considering feedback from Players and Operators, taking remedial or preventive action, and imposing additional requirements.

10.2 Grounds for suspension or removal

The Commission may suspend or remove an entity where:

- its Recognized Status is removed or suspended, where it relies on it;
- it no longer meets the criteria in section 5, or has a conflict of interest or lost its independence;
- it repeatedly or seriously fails to decide within time or to give reasoned decisions;
- it gives false or misleading information to the Commission;
- it fails to notify, report or cooperate as required;
- the Commission has sanctions, financial crime or integrity concerns about it or its key persons;
- it becomes insolvent or stops operating; or
- it asks to be removed.

10.3 Process

The Commission will give written notice of the proposed action and its reasons, and a reasonable opportunity, normally 10 Working Days, to respond. Where urgent action is needed to protect Players or the integrity of the process, it may suspend an entity immediately, and then give the notice. Decisions are given in writing with reasons.

10.4 Effect

- The suspension or removal is published on the register.
- The entity must tell every Operator it has an agreement with within two Working Days, and the Commission will also notify Operators.
- For Disputes already with the entity, the Commission decides case by case whether the entity completes them or they are transferred to another Approved ADR Entity, and the entity must cooperate in transferring files. The Player's right to a decision must not be lost.
- An Operator left without an Approved ADR Entity must engage a replacement without delay and notify the Commission (Player Complaints Policy, section 11.2).

10.5 Voluntary withdrawal

An entity may withdraw from the register by giving 3 months written notice to the Commission. It must complete its pending Disputes, or cooperate in transferring them, before withdrawal takes effect.

11. Operators and Approved ADR Entities

11.1 Only listed entities

An Operator may engage only an Approved ADR Entity. It must have a written agreement with the entity, and must notify the Commission of the agreement and of its termination (Player Complaints Policy, section 11.2). The appointment of at least one Approved ADR Entity by the Operator is mandatory (Regulation 20.2).

11.2 Terms of the agreement

The agreement must be consistent with this policy. In particular, it must provide that the Operator pays all costs, that fees do not depend on the outcome of any case, that the Operator will provide the case file and reply to enquiries within 10 Working Days, and that the Operator will implement the entity's decisions.

11.3 More than one entity

An Operator may engage more than one Approved ADR Entity.

11.4 Independence

An Operator must not seek to influence an ADR entity's decision, and must not end or threaten to end an agreement because of a decision the entity has made.

11.5 Terms and Conditions

The Operator's Complaints Procedure, Terms and Conditions and Player information shall meet the requirements of section 13 of the Player Complaints Policy.

12. Effective date and review

12.1 Effective date

This policy takes effect on 1st December 2026. There is no transition period. Entities may apply from the effective date, and the Commission will publish the register and update it as entities are approved.

12.2 Review

The Commission will review this policy at least every two years and after any significant regulatory change. It will publish changes together with the date on which they take effect.

12.3 Enquiries

Enquiries and applications may be sent to the Commission via the contact details available on the website.

Annex A. Assessing an Issuing Authority and Recognized Status

When deciding whether an Issuing Authority is reputable (section 4.3), the Commission considers factors such as those below. No single factor is decisive, and the list is not closed.

Factor	What the Commission considers
Published standards	Whether the Issuing Authority publishes standards for ADR providers covering independence, expertise, procedures and fairness.
Assessment	Whether it assesses applicants (including key persons) before certifying, and how thorough that assessment is.
Supervision	Whether it monitors certified providers and can suspend or remove them.
Transparency	Whether it publishes a list of certified providers that can be checked.
Standing	Its general regulatory standing and reputation, including for gambling, and the absence of material adverse findings.
Cooperation	Whether it will confirm an entity's status and share relevant information with the Commission.
Relevance	Whether the certification covers gambling disputes and consumer or player disputes with remote operators.

Evidence of Recognized Status should be current and verifiable, for example a certificate or an entry on the Issuing Authority's public list.

Annex B. Half-yearly ADR entity report: template

Approved ADR Entities report the following for each half-year. The Commission may issue an electronic template with the same content.

No.	Item	Period figure
1	Entity name and reporting period	
2	Disputes received, by Operator	
3	Disputes refused, by ground (section 3.5)	
4	Disputes decided: upheld / partly upheld / rejected	
5	Disputes withdrawn or settled	
6	Disputes pending at period end	
7	Average time to decision, and number decided later than 90 days	
8	Responsible Gaming Complaints received and outcomes	
9	Number of notifications made under section 3.7	

Annex C. Register entry: published content

The published register shows the following for each entity.

No.	Item	Details
1	Name and contact details	Legal name, website.
2	Route and basis	Whether recognized or directly assessed, and the Issuing Authority and status relied on.
3	Scope and conditions	Any limits or conditions on the listing.
4	Dates	Date of listing, and the date of the latest annual confirmation.
5	Status	Active, suspended or removed, with the date of any change.