

1. Policy Overview

This Complaints Policy defines the framework for handling player complaints and disputes, ensuring that the process remains transparent, fair, and efficient in accordance with Article 5.3 of the National Ordinance on Games of Chance (Landsverordening op de kansspelen, LOK). Compliance with this Policy is mandatory under the LOK, and any breach may be addressed by the Curaçao Gaming Authority (CGA) through its supervisory, monitoring, and enforcement powers.

The Policy guarantees that players have access to a clear and effective complaint-handling procedure, including free alternative dispute resolution (ADR) services that prioritize independence and quality.

Pursuant to Article 5.3 of the LOK, further regulations, policies, and guidelines concerning complaints and ADR procedures may be introduced.

- The operator's player complaints policy must be clearly incorporated into or referenced within its Terms and Conditions, including details of all Stages of Complaint Resolution (Clause 3.2).
- At its discretion, the operator may publish the policy as a separate document accessible via links on the homepage and/or registration page.
- Subject to applicable private law, the operator may require players to expressly acknowledge acceptance of the Complaints Policy through mechanisms such as a checkbox, pop-up, or email confirmation.
- The operator may also integrate acknowledgment of the Complaints Policy into the player registration process.

This Policy reflects regulatory obligations under the LOK and does not override applicable private law, including provisions of Book 6 of the Civil Code of Curaçao regarding general terms and conditions. Operators remain responsible for ensuring compliance with all civil law obligations and are advised to seek appropriate legal counsel to confirm that their complaint procedures and Terms and Conditions align with private law requirements.

2. Definitions

2.1 Player Interaction

Any written communication initiated by a player and directed to the operator's customer support team. This may include inquiries, feedback, or requests for assistance, information, or clarification.

2.2 Complaint

A written statement of dissatisfaction from a player regarding the operator's services, decisions, terms, or behavior, indicating an expectation for a response or resolution. For reporting purposes

(Clause 6), a complaint is considered filed when the player submits a Complaint Submission Form (Clause 3.2 paragraph 3) to the operator and/or escalates it to ADR.

2.3 Dispute

A complaint that remains unresolved to the player's satisfaction after the internal process and has been escalated within the organization or referred to an independent third party such as an ADR provider or court of law.

3. Complaint Submission Process

3.1 Complaint Window

1. This Policy applies to all players of operators licensed under the LOK from the date of licence issuance, and to operators licensed under the NOOGH regime from the date they were granted a green or orange dynamic seal.
2. Players may submit complaints free of charge within six months from the settlement of a bet or the incident giving rise to the complaint.
3. For peer-to-peer games (e.g., poker) or ante-post fixed odds betting, the six-month period starts after the conclusion or settlement of the event rather than the bet placement.
4. For in-running sports betting complaints, players must be informed that although they may submit a complaint within six months, prompt action may be necessary if the investigation depends on time-sensitive data which, due to the nature of live betting, may no longer be available after a short period when the operator cannot reasonably be expected to retain such data longer.

3.2 Stages/Escalation of Complaint Resolution

1. Only the registered player may file a complaint. Under Article 1.3(c) of the LOK, players are prohibited from selling, donating, or transferring any of their claims against a CGA-licensed operator.
2. Operators must provide initial customer support via email and/or live chat.
3. A formal Complaint Submission Form must be made available to players.
 1. The form may be downloadable (to complete and email/upload) or available as an online form for direct submission.
 2. The form must include at least:
 1. Player's full name, address, and residence.
 2. Player's account number (if applicable).
 3. Date of the complaint and date of the related event.
 4. Description of the disputed issue (using predefined categories if available).
 3. The form must be provided in English and in the language of the website or domain used by the player.
 4. The operator may request supporting documents from the player as reasonably required for resolving the complaint.

4. The operator must provide players with the option to use an ADR service, as outlined in Clause 5.
5. Unless mutually agreed under specific ADR conditions (Clause 5), operators must not restrict a player's right to take independent legal action.

3.3 Role of the CGA

1. The operator must clearly define the CGA's role within its Terms and Conditions.
2. The CGA will not intervene or make decisions in player disputes concerning transactions on operator websites.
3. Unless deemed inadequately managed, decisions of the operator or ADR provider will not be reviewed or overturned by the CGA.
4. Operators must not prevent players from contacting the CGA directly regarding potential misconduct, licensing breaches, or whistleblowing matters.
5. While the CGA does not mediate individual complaints, it may use related data to support supervisory and enforcement actions.

4. Complaint Resolution Process

4.1 Timeline: Responsible Gaming Complaints

Complaints related to responsible gaming should be prioritized due to their potential impact on player well-being. Any complaint concerning vulnerable players, self-exclusion, cooling-off measures, or their application as defined in the Responsible Gaming Policy should be categorized accordingly.

Operators should make all reasonable efforts to resolve such complaints within five business days.

Within two days of receiving the complaint, the operator will:

- Acknowledge receipt of the complaint in writing.
- Explain the procedure for handling the complaint.
- Indicate the estimated timeline for resolution.

If additional time is needed for a thorough review, the player must be informed. Operator-related delays must not exceed two weeks. If delays are due to a lack of response from the player, the period may be extended once, by no more than two weeks.

4.2 Timeline: All Other Complaint Types

The operator must assess and respond to all other types of complaints within four weeks. In exceptional cases of complexity or insufficient information, this period may be extended once by a maximum of four additional weeks, with written notice to the player.

Within one week of receiving a complaint, the operator will:

- Confirm receipt of the complaint in writing.

- Provide details of how the complaint will be processed.
- State the average expected resolution timeline.

4.3 Response and Resolution

All players must receive a written final response to their complaint.

The response will include one of the following:

1. A reasoned final outcome or resolution, supported by evidence where applicable.
2. Detailed justification for not processing the complaint. If additional information was required, it must have been requested within the initial four-week window. If the player fails to provide it within that period, the operator may reject the complaint.
3. If the player remains dissatisfied, they must be informed of their right to escalate the matter to an independent ADR provider.

4.4 Artificial Intelligence (AI)

The use of AI in handling complaints is permitted under the following conditions:

1. Complaints related to responsible gaming (Clause 4.1) must be managed by a human representative.
2. Complex complaints must be handled manually, not through AI systems.
3. AI-generated recommendations must be regularly reviewed to ensure fairness and consistency across similar cases.

5. Alternative Dispute Resolution

To comply with LOK licensing requirements, all licensed operators must provide access to independent ADR services in line with the CGA's ADR Policy.

1. Complete details of the ADR procedure must appear in the operator's Terms and Conditions.
2. Within one month of the publication of Certified ADR Providers on the official CGA website, operators must upload to the CGA Portal an agreement with at least one CGA-certified ADR entity.
3. If a complaint cannot be resolved internally, the player may escalate it to a certified ADR provider at no cost; the operator bears all related costs.
4. Once the ADR process concludes, it cannot be reopened with a different ADR entity.
5. If the player withdraws from an active ADR process, the dispute may not be reopened later.
6. Operators must provide ADR services. If parameters are established to prevent misuse (e.g., requiring ADR before legal proceedings or setting a minimum claim threshold), operators should seek independent legal advice to ensure compliance with civil law.

The CGA will evaluate all relevant circumstances when assessing the reasonableness of an operator's anti-abuse measures. For example, limiting ADR in low-value claims may be considered reasonable. However, cases involving issues such as the admission of self-excluded players must always be treated seriously regardless of the monetary value.

6. Record-Keeping and Reporting

The operator must:

1. Submit reports to the CGA on January 15 and June 15 each year, covering all complaints received since the previous reporting period. The first reports are due January 2026.
2. Each report must include:
 1. Total number of complaints received.
 2. Total number of resolved complaints (upheld and rejected).
 3. Number of pending or unresolved cases.
 4. Complaints categorized by type.
 5. Number of cases referred to ADR.
 6. Details of complaints where players have taken legal action.
3. Maintain transparency regarding ADR outcomes and any regulatory updates.
4. Ensure that ADR providers meet their reporting obligations as required by the CGA's ADR Policy.
5. Keep records of unresolved complaints and those escalated to ADR or legal proceedings for at least five years or as required by applicable laws and data retention rules.
6. Allow the CGA to request access to complaint records or ongoing dispute files at any time.

7. Terms and Conditions

The Complaints Procedure must be clearly visible on the operator's website, either as a standalone document or accessible through a prominent link.

It must also be clearly described within the operator's Terms and Conditions, including:

1. Links to customer support and instructions for contacting the operator.
2. Information required to file a complaint and links to the online or downloadable submission forms.
3. Response and resolution timelines.
4. Player rights to complaint submission, ADR access, and regulatory escalation.
5. An explanation of ADR outcomes and how they may impact further legal recourse.
6. Details of the ADR process and provider contact information.
7. A statement clarifying that the CGA does not mediate individual disputes, though players may contact the CGA regarding regulatory concerns.

8. Reasons for Complaint

Players may submit complaints concerning any aspect of their relationship with the operator or participation in games of chance, including but not limited to:

1. Deposit issues
2. Withdrawal issues
3. Bonus terms and conditions

4. Account closures or restrictions
5. Errors or unfair game results
6. Responsible gaming concerns
7. Handling of player balances
8. KYC and verification matters
9. Data protection
10. Technical or software problems
11. Anti-Money Laundering (AML) issues
12. Incidents involving minors
13. Fraudulent games
14. Fraudulent behavior
15. Licensing or regulatory issues
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